

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, DECEMBER 17, 2007**

The City-County Council of Indianapolis, Marion County, Indiana, the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:09 p.m. on Monday, December 17, 2007, with Councillor Gray presiding.

President Gray asked for a brief moment of silence in recognition of the life and contributions of Congresswoman Julia Carson, who passed away this week.

Councillor Borst led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

25 PRESENT: Bateman, Borst, Boyd, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy
4 ABSENT: Brown, Carson, Franklin, Vaughn

A quorum of twenty-five members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Schneider recognized his wife Christine and five children in attendance this evening for his last official Council meeting. Councillor Langsford recognized wife and former Councillor Becky Langsford. Councillor Pfisterer introduced westside residents Hope Garrett and Don Parrot. Councillor Borst recognizes his wife Jill, son Eric, father and former Senator Larry Borst, sister Elizabeth, brother Dave, and good friend Randy Shields. Councillor Nytes recognized supporters of Proposal No. 541, 2007. Councillor Gray recognized Bill Brooks, Indianapolis Colts.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, December 17, 2007, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Monroe Gray
President, City-County Council

December 3, 2007

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, December 5, 2007 and in the *Indianapolis Star* on Thursday, December 6, 2007, a copy of a Notice of Public Hearing on Proposal Nos. 522, 525, 529, 532, 533, 538, 539 and 545, 2007, said hearing to be held on Monday, December 17, 2007, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Jean Ann Milharcic
Clerk of the City-County Council

December 10, 2007

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances:

FISCAL ORDINANCE NO. 109, 2007 – appropriates \$30,000 in the 2007 Budget of the Perry Township Assessor (County General Fund) due to errors in correctly calculating personal services appropriations

FISCAL ORDINANCE NO. 110, 2007 – appropriates \$250,000 in the 2007 Budget of the Department of Metropolitan Development (Redevelopment General Fund) to acquire properties from the UNWA CDC in accordance with the Fostering Commercial Urban Strategies corridor and the UNWA redevelopment plan and to perform appraisals, financed by TIF revenues

FISCAL ORDINANCE NO. 111, 2007 – approves an appropriation of \$9,992 in the 2007 Budget of the Department of Parks and Recreation (Non-Lapsing Federal Grants Fund) to support planting of trees and other plant materials at 5200 North Fall Creek Parkway East Drive, funded by a federal U.S. Fish and Wildlife Service grant

FISCAL ORDINANCE NO. 112, 2007 – appropriates \$25,000 in the 2007 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to fund advanced training in Bloodstain Pattern Analysis, to audit lab operations, and to provide external proficiency testing of forensic scientists, financed by a U.S. Department of Justice grant in association with the National Institute of Justice

FISCAL ORDINANCE NO. 114, 2007 – appropriates \$22,363 in the 2007 Budget of the Marion County Public Defender Agency (State and Federal Grants Fund) to cover partial salary and benefit costs for the Assistant Juvenile Coordinator and to pay for supplies, consultants, psychological evaluations and assessments and for discretionary client needs, funded by a U.S. Department of Justice grant

FISCAL ORDINANCE NO. 116, 2007 – transfers and appropriates \$65,000 in the 2007 Budget of the Marion County Children's Guardian Home (County General Fund) to cover unanticipated increases in the cost of utilities and the food service program

December 17, 2007

FISCAL ORDINANCE NO. 117, 2007 – transfers and appropriates \$150,000 in the 2007 Budget of the Department of Parks and Recreation (Parks General Fund) to pay utility bills

GENERAL ORDINANCE NO. 62, 2007 – authorizes intersection controls for the Pikewood Subdivision (District 1)

GENERAL ORDINANCE NO. 63, 2007 – authorizes intersection controls for the Bridgeport Commons Subdivision (District 13)

GENERAL ORDINANCE NO. 64, 2007 – designates a 20-minute parking meter zone on the east side of Meridian Street between Maryland and Pearl Streets (District 19)

GENERAL ORDINANCE NO. 65, 2007 – authorizes intersection controls for Heartland Boulevard (District 22)

GENERAL ORDINANCE NO. 66, 2007 – authorizes intersection controls for the Timberleaf Subdivision, Section 1 (District 22)

GENERAL ORDINANCE NO. 67, 2007 – authorizes intersection controls for the White Oak Woods Subdivision, Sections 1 and 2 (District 24)

GENERAL ORDINANCE NO. 68, 2007 – authorizes intersection controls for the Brookfield Place Subdivision, Sections 1 and 2 (District 25)

GENERAL ORDINANCE NO. 69, 2007 – authorizing intersection controls for the Westbrooke Subdivision (District 25)

GENERAL ORDINANCE NO. 70, 2007 – authorizes intersection controls for the Churchman Estates Subdivision, Sections 1-4 (District 25)

GENERAL ORDINANCE NO. 71, 2007 – authorizes intersection controls for the Addison Meadows Subdivision (District 25)

GENERAL ORDINANCE NO. 72, 2007 – authorizes intersection controls for the Hanover Subdivision, Section 2 (District 25)

GENERAL ORDINANCE NO. 73, 2007 – authorizes intersection controls for the Southern Trails Subdivision (District 25)

GENERAL ORDINANCE NO. 74, 2007 – authorizes a multi-way stop at the intersection of 62nd Street and Delaware Street (District 3)

GENERAL ORDINANCE NO. 75, 2007 – authorizes intersection controls at Schofield Avenue and Trumbull Street (District 9)

GENERAL ORDINANCE NO. 76, 2007 – authorizes a change in the parking restrictions on College Avenue between Massachusetts Avenue and Arch Street (District 9)

GENERAL ORDINANCE NO. 77, 2007 – authorizes the deletion of parking restrictions and a one-way restriction on Ludlow Avenue from Commerce Avenue to 18th Street (District 9)

GENERAL ORDINANCE NO. 78, 2007 – authorizes changes in parking restrictions on Michigan Street between Alabama Street and East Street (Districts 9 and 15)

GENERAL ORDINANCE NO. 79, 2007 – authorizes a multi-way stop at the intersection of Chapelwood Boulevard and St. Clair Street (District 13)

GENERAL ORDINANCE NO. 80, 2007 – authorizes the deletion of two-hour parking meters and the addition of two 20-minute parking meters on Meridian Street between Washington Street and Monument Circle (District 15)

GENERAL ORDINANCE NO. 81, 2007 – authorizes a No Parking Anytime restriction on Miami Street between Cleveland and East Streets (District 15)

GENERAL ORDINANCE NO. 82, 2007 – authorizes intersection controls in The Villas at Franklin Crossing subdivision (District 25)

GENERAL ORDINANCE NO. 83, 2007 – authorizes intersection controls in the Amber Ridge, Section 1, subdivision (District 25)

SPECIAL RESOLUTION NO. 55, 2007 – recognizes the Buchanan Family and the Washington Park East Cemetery, Funeral Center and Community Life Center for their leadership role in establishing the Indiana National Guard Patriot Memorial

SPECIAL RESOLUTION NO. 56, 2007 – recognizes West Indy's 9th Annual Breakfast with Santa

SPECIAL RESOLUTION NO. 57, 2007 - recognizes Pathway to Recovery, Inc.

Respectfully,
s/Bart Peterson, Mayor

The Clerk stated that she has also received proclamations to honor each outgoing Councillor from the Marion County Treasurer.

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed.

Councillor Cockrum made the following motion:

Mr. President:

I move to modify the proposed Agenda by adding Proposal No. 575, 2007, a Council Resolution as a new proposal under PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS this evening. Councillors should have a copy of the proposal in front of them.

Councillor Borst seconded the motion, and Proposal No. 575, 2007 was placed on the agenda following Proposal No. 571, 2007.

Without further objection, the agenda was adopted as amended.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of December 3, 2007.

Councillor Borst stated that the minutes from the December 3, 2007 meeting reflect that in order to suspend the Rules on a proposal, only a simple majority of 15 votes is needed. He said that according to the Rules, it actually takes a two-thirds majority to suspend the Rules. He said that the Rules, therefore, were not suspended properly at that meeting on Proposal Nos. 525, 532, 538 and 539, 2007. General Counsel Aaron Haith stated, in light of this finding, that in order to act on these proposals this evening, a vote will again need to be taken on each one to suspend the Rules.

There being no further additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 572, 2007. The proposal, sponsored by Councillor Pfisterer, recognizes Restoring Lives West, Inc. Councillor Pfisterer read the proposal and presented representatives with copies of the document and Council pins. Hope Garrett, Restoring Lives West, thanked the Council for the recognition. Councillor Pfisterer moved, seconded by Councillor McWhirter, for adoption. Proposal No. 572, 2007 was adopted by a unanimous voice vote.

Proposal No. 572, 2007 was retitled SPECIAL RESOLUTION NO. 58, 2007, and reads as follows:

December 17, 2007

CITY-COUNTY SPECIAL RESOLUTION NO. 58, 2007

A SPECIAL RESOLUTION recognizing Restoring Lives West, Inc.

WHEREAS, Restoring Lives West is a ministry on the Westside of Indianapolis that reaches out to homeless and at-risk young adults empowering them by providing street outreach, a youth drop-in center and referral to social services, and educational/job training projects through community relationships; and

WHEREAS, in July of 2004, the Wayne Township Adult Basic Education (ABE) Program was awarded an outreach grant through the Indiana Department of Education/Division of Adult Education, which allowed the staff to conduct case management activities to at-risk students and determine what actions could be taken to combat barriers, such as homelessness, among ABE students; and

WHEREAS, a teen issues council formed by the Wayne Township ABE initiated conversations that lead to the creation of Restoring Lives West, which became incorporated on July 13, 2007, and enabled schools to refer homeless/marginal youth to receive necessary services; and

WHEREAS, the program structure of Restoring Lives West was designed after a similar program on the east side, Outreach, Inc., whose founder and executive director, Eric Howard, provides mentoring and guidance to all involved in the operation of Restoring Lives West; and

WHEREAS, Restoring Lives West serves youth ages 16-24 who are living on the street due to physical abuse, sexual abuse, neglect, and/or emotional abuse, and will provide case management by guiding the youth through emotional and spiritual struggles and helping them develop comprehensive, long-term service plans with goals and objectives; and

WHEREAS, Additionally, Restoring Lives West will instruct youth in necessary life and social skills such as money management, employability, and home economics, will connect them to GED and vocational training programs and community resources, and will help reunify them with their families when appropriate; and

WHEREAS, Restoring Lives West has developed partnerships with a number of government, community service, and fraternal organizations, as well as many local churches and a number of organizations who provide jobs and job training. The Lynhurst Baptist Church (LBC) and LBC Community Center have provided extensive support and space has been allocated for the project; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes Hope Garrett and Don Parrott, along with Board of Directors, Gary Lynch, Jim M. Mullens, and Phyllis Goodyear for their determination to organizing and operating this great program.

SECTION 2. The Council heartily congratulates Restoring Lives West for its efforts of ensuring future success and stability to homeless and at-risk youth by assisting them with essential daily needs.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 573, 2007. The proposal, sponsored by Councillors Pryor, Randolph and Mansfield, recognizes the Pike High School Football Team on their run for the State Championship title. Councillors Pryor and Randolph read the proposal and stated that it will be presented to the team at a later date. Councillor Randolph moved, seconded by Councillor Pryor, for adoption. Proposal No. 573, 2007 was adopted by a unanimous voice vote.

Proposal No. 573, 2007 was retitled SPECIAL RESOLUTION NO. 59, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 59, 2007

A SPECIAL RESOLUTION recognizing the Pike High School Football Team on their run for the State Championship title.

WHEREAS, the Pike High School Red Devils Football team had not had an unbeaten season since going 9-0 in 1944; and

WHEREAS, winning over Franklin Central 30-17, the red and white Devils clinched the Conference Indiana title, its first league championship since 1961; and

WHEREAS, along the way to their sectional championship, the Red Devils defeated the famed Ben Davis team for the first time in 33 years, a team that had won this same sectional since 1987, along with seven state championships; and

WHEREAS, Pike again came out on top against Hamilton Southeastern (13-6) and Columbus North (20-14) to win the regional championship and earn them a ticket to the 2007 Class 5A State Championship game; and

WHEREAS, under the direction of Coach Derek Moyers, the Pike Red Devils relied heavily on a controlled shotgun offense and exceptional rushing, and produced a defense with the help of defensive coordinator Pat Echeverria which, on average, allowed less than 10 points per game and excelled in interceptions; and

WHEREAS, although Pike narrowly fell short of the State title, losing to the Carmel Greyhounds by a mere nine points, the team battled hard to reach the title game, exceeding the expectations of many; and

WHEREAS, *The Indianapolis Star's* 2007 High School Football Super Team includes senior linebacker Robert Martin, senior defensive back Kendall Fleming, senior defensive tackle William Dale, Jr. and senior offensive lineman Cameron Lowry, who also received the Class 5A Mental Attitude Award. The *Star's* choice for coach of the year was none other than Coach Moyers, who led the team to a state runner-up finish with a 14-1 record that included a No. 1 ranking in the final regular season poll; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the Pike High School Red Devils Football Team and congratulates them on being the 2007 Class 5A State Runners-Up .

SECTION 2. The Council wishes the team continued success on and off the field, as well as wishing the team's 36 graduating seniors success in their choices for the future.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 592, 2007. The proposal, sponsored by Councillor Pryor, recognizes Zach Razor on attaining the rank of Eagle Scout. Councillor Pryor read the proposal and presented Mr. Razor with a copy of the document and a Council pin. Mr. Razor thanked the Council for the recognition and stated that he is proud to be a member of the Boy Scouts of America, as it is a tremendous organization. Councillor Pryor moved, seconded by Councillor Nytes, for adoption. Proposal No. 592, 2007 was adopted by a unanimous voice vote.

Proposal No. 592, 2007 was retitled SPECIAL RESOLUTION NO. 60, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 60, 2007

A SPECIAL RESOLUTION recognizing Zach Razor on attaining the rank of Eagle Scout.

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WHEREAS, Zach has been scouting for twelve years, and has been a member of Boy Scout Troop 505 since he crossed over in the fifth grade; and

WHEREAS, Zach has participated in many campouts and summers at Ransburg Scout Reservation on Lake Monroe, and he also traveled to Philmont Scout Ranch in Cimarron, New Mexico with some of his fellow scouts and hiked 80 miles in the mountains; and

WHEREAS, Zach joined Cub Scout Pack 504 in Speedway and became a Tiger Cub in first grade and later earned the highest award offered, the Arrow of Light, when he was a second year Webelo; and

WHEREAS, during his years in the troop, Zach has held the positions of Assistant Patrol Leader, Patrol Leader, Assistant Senior Patrol Leader, and Senior Patrol Leader; and

WHEREAS, to receive the Eagle rank, Zach had to earn a minimum of twenty-one merit badges, hold leadership positions in the Troop, complete many hours of community service, be an active member of the troop, live by the Spirit of Scouting, and complete a service project for his community; and

WHEREAS, some of his community service projects include; assisting with the 500 Parade, ringing bells in the cold during Christmas for the Salvation Army, raking leaves for elderly people and cleaning their yards, sorting and packing toys for the WRTV Toy Drive, and clearing brush and paint at Camp RedWing and Ransburg;

WHEREAS, he worked with the Town of Speedway and the City of Indianapolis to buy and erect a large wooden welcome sign for the Town of Speedway as his service project for his community;

WHEREAS, at a ceremony on Sunday, December 9, Zach became an Eagle Scout, a ranking that is achieved by only four in 100 boys who start scouting; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes and celebrates this wonderful accomplishment reached by Zach Razor.

SECTION 2. The Council recognizes that Zach is an example of the outstanding achievements being made by the Boy Scouts in Speedway.

SECTION 3. The Council encourages Zach to continue being a leader in the community and wishes him much success in his future endeavors.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Sanders stated that Proposal Nos. 562-569, 2007 all honor outgoing Councillors. She said that some of those honorees are not present at the moment, but will be arriving shortly, and she asked for consent to hear the proposals out of order until certain Councillors arrive. Consent was given.

PROPOSAL NO. 565, 2007. The proposal, sponsored by All Councillors, recognizes the public service of Councillor Scott Keller. Councillor Sanders read the proposal and presented Councillor Keller with a copy of the document and a Council pin. Councillor Keller stated that it has been an honor to serve with fellow Council members and to serve the people of the 16th District. He said that he has no regrets. Councillor Sanders moved, seconded by Councillor Nytes, for adoption. Proposal No. 565, 2007 was adopted by a unanimous voice vote.

Proposal No. 565, 2007 was retitled SPECIAL RESOLUTION NO. 61, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 61, 2007

A SPECIAL RESOLUTION recognizing the public service of Councillor Scott Keller.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Scott Keller has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 2004 through 2007; and

WHEREAS, Councillor Keller served on the Municipal Corporations Committee, Public Works Committee, and Metropolitan Development Committee. He also served on special committee, Children's Health and Environment, and in many other roles; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the four years of dedicated service given by Councillor Scott Keller as a member of the Council.

SECTION 2. On behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Keller, and encourages him to remain an active participant in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 566, 2007. The proposal, sponsored by All Councillors, recognizes the public service of Councillor Lance Langsford. Councillor Sanders read the proposal and presented Councillor Langsford with a copy of the document and a Council pin. Councillor Langsford thanked his wife Becky for filling his seat twice while he was deployed with the National Guard and stated that the local Council body is a very important part of government and he has enjoyed serving. Councillor Sanders moved, seconded by Councillor Nytes, for adoption. Proposal No. 566, 2007 was adopted by a unanimous voice vote.

Proposal No. 566, 2007 was retitled SPECIAL RESOLUTION NO. 62, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 62, 2007

A SPECIAL RESOLUTION recognizing the public service of Councillor Lance Langsford.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Lance Langsford has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 2000 through 2007; and

WHEREAS, Councillor Langsford served on the Administration and Finance Committee, Community Affairs Committee, Parks and Recreation Committee, Public Works Committee, Municipal Corporations Committee, and Metropolitan Development Committee, of which he chaired during his first term. He has also served in many other roles; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

December 17, 2007

SECTION 1. The Indianapolis City-County Council recognizes the eight years of dedicated service given by Councillor Lance Langsford as a member of the Council.

SECTION 2. On behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Langsford, and encourages him to remain an active participant in the life of this community and wishes him godspeed in his continued service in the Indiana National Guard.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 567, 2007. The proposal, sponsored by All Councillors, recognizes the public service of Councillor Lynn McWhirter. Councillor Sanders read the proposal and presented Councillor McWhirter with a copy of the document and a Council pin. Councillor McWhirter thanked Councillor Borst for his patience with her questions, and Councillor Boyd for always being a gentleman. She said that the Council has helped her to grow and she is thankful to all who have been a part of that service. Councillor Sanders moved, seconded by Councillor Nytes, for adoption. Proposal No. 567, 2007 was adopted by a unanimous voice vote.

Proposal No. 567, 2007 was retitled SPECIAL RESOLUTION NO. 63, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 63, 2007

A SPECIAL RESOLUTION recognizing the public service of Councillor Lynn McWhirter.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Lynn McWhirter has, with integrity and sincerity, served her constituents and the people of Indianapolis well from 2000 through 2007; and

WHEREAS, Councillor McWhirter served on the Metropolitan Development Committee, Public Works Committee, Parks and Recreation Committee, Public Safety and Criminal Justice Committee, Indianapolis Marion County Law Enforcement Consolidation Committee, and Administration and Finance Committee, of which she chaired during her first term. She also served on special committee, Capital Asset Management, and in many other roles; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the eight years of dedicated service given by Councillor Lynn McWhirter as a member of the Council.

SECTION 2. On behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor McWhirter, and encourages her to remain an active participant in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 569, 2007. The proposal, sponsored by All Councillors, recognizes the public service of Councillor Scott Schneider. Councillor Sanders read the proposal and presented Councillor Schneider with a copy of the document and a Council pin. Councillor Schneider

thanked the staff for all of their help over the years. Councillor Sanders moved, seconded by Councillor Nytes, for adoption. Proposal No. 569, 2007 was adopted by a unanimous voice vote.

Proposal No. 569, 2007 was retitled SPECIAL RESOLUTION NO. 64, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 64, 2007

A SPECIAL RESOLUTION recognizing the public service of Councillor Scott Schneider.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Scott Schneider has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 2000 through 2007; and

WHEREAS, Councillor Schneider served on the Administration and Finance Committee, Community Affairs Committee, Metropolitan Development Committee, Public Safety and Criminal Justice Committee, and Rules and Public Policy Committee. He has also served in many other roles; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the eight years of dedicated service given by Councillor Scott Schneider as a member of the Council.

SECTION 2. On behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Schneider, and encourages him to remain an active participant in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 568, 2007. The proposal, sponsored by All Councillors, recognizes the public service of Councillor Isaac Randolph. Councillor Sanders read the proposal and presented Councillor Randolph with a copy of the document and a Council pin. Councillor Randolph thanked the Council for the recognition and said that this experience has taught him much about public service and that doing the right thing is not what is difficult, but sometimes taking the heat is difficult. He thanked the staff for their support. Councillor Sanders moved, seconded by Councillor Nytes, for adoption. Proposal No. 568, 2007 was adopted by a unanimous voice vote.

Proposal No. 568, 2007 was retitled SPECIAL RESOLUTION NO. 65, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 65, 2007

A SPECIAL RESOLUTION recognizing the public service of Councillor Isaac Randolph.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Isaac Randolph has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 2004 through 2007; and

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WHEREAS, Councillor Randolph served on the Economic Development Committee and Municipal Corporations Committee. He has also served in many other roles; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the four years of dedicated service given by Councillor Isaac Randolph as a member of the Council.

SECTION 2. On behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Randolph, and encourages him to remain an active participant in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 562, 2007. The proposal, sponsored by All Councillors, recognizes the public service of Councillor Lonnell "King Ro" Conley. Councillor Sanders read the proposal and presented Councillor Conley with a copy of the document and a Council pin. Councillor Conley thanked the excellent staff and said that this has truly been a rewarding experience. Councillor Sanders moved, seconded by Councillor Nytes, for adoption. Proposal No. 562, 2007 was adopted by a unanimous voice vote.

Proposal No. 562, 2007 was retitled SPECIAL RESOLUTION NO. 66, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 66, 2007

A SPECIAL RESOLUTION recognizing the public service of Councillor Lonnell "King Ro" Conley.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Lonnell Conley has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 2000 through 2007; and

WHEREAS, Councillor Conley served on the Community Affairs Committee, Economic Development Committee, Municipal Corporations Committee, Indianapolis Marion County Law Enforcement Consolidation Committee, and Public Works Committee, of which he chaired during his second term. He also served on special committees: Capital Asset Management and Investigative Election, and in many other roles; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the eight years of dedicated service given by Councillor Lonnell "King Ro" Conley as a member of the Council.

SECTION 2. On behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Conley, and encourages him to remain an active participant in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 564, 2007. The proposal, sponsored by All Councillors, recognizes the public service of Councillor Ron Gibson. Councillor Sanders read the proposal and presented

Councillor Gibson with a copy of the document and a Council pin. Councillor Gibson thanked God for helping to realize a dream. He thanked the citizens and said that it has been a joy to give back to the community. He recognized and thanked Congresswoman Julia Carson who helped him get started and thanked Mayor Bart Peterson and his staff for their support. He wished his successor Councillor-elect Kent Smith well in his service. Councillor Sanders moved, seconded by Councillor Nytes, for adoption. Proposal No. 564, 2007 was adopted by a unanimous voice vote.

Proposal No. 564, 2007 was retitled SPECIAL RESOLUTION NO. 67, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 67, 2007

A SPECIAL RESOLUTION recognizing the public service of Councillor Ron Gibson.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Ron Gibson has, with integrity and sincerity, served his constituents and the people of Indianapolis well from 2000 through 2007; and

WHEREAS, Councillor Gibson served on the Community Affairs Committee, Metropolitan Development Committee, Parks and Recreation Committee, Indianapolis Marion County Law Enforcement Consolidation Committee Economic Development Committee, and Municipal Corporations Committee, of which he chaired during his second term. He also served on special committee, Children's Health and Environment, and in many other roles; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the eight years of dedicated service given by Councillor Ron Gibson as a member of the Council.

SECTION 2. On behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Gibson, and encourages him to remain an active participant in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 563, 2007. The proposal, sponsored by All Councillors, recognizes the public service of Councillor Sherron Franklin. Councillor Sanders read the proposal and stated that Councillor Franklin was called away on duty and she will present it to her at a later time. Councillor Sanders moved, seconded by Councillor Nytes, for adoption. Proposal No. 563, 2007 was adopted by a unanimous voice vote.

Proposal No. 563, 2007 was retitled SPECIAL RESOLUTION NO. 68, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 68, 2007

A SPECIAL RESOLUTION recognizing the public service of Councillor Sherron Franklin.

WHEREAS, a free nation rests upon the willingness of responsible citizens who voluntarily and actively participate in the governmental process; and

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WHEREAS, the pursuit and achievement of elective office with its attendant commitments of self, time, and energy represents one of the highest expressions of citizenship participation; and

WHEREAS, City-County Councillor Sherron Franklin has, with integrity and sincerity, served her constituents and the people of Indianapolis well from 2004 through 2007; and

WHEREAS, Councillor Franklin served on the Municipal Corporations Committee, Public Safety Committee, and Indianapolis Marion County Law Enforcement Consolidation Committee. She also served on special committee: Children's Health and Environment, and in many other roles; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes the 4 years of dedicated service given by Councillor Sherron Franklin as a member of the Council.

SECTION 2. On behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Franklin, and encourages her to remain an active participant in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 570, 2007. The proposal, sponsored by All Councillors, recognizes the accomplishments and service to the community by former Council President Philip C. Borst, D.V.M. Councillor Gray read the proposal and presented Councillor Borst with a copy of the document and a Council pin. Councillor Borst stated that it has been great working for 28 years with lots of people and some great staffs for the citizens of this city. He said that he is encouraged to see more people thinking about government now and getting involved in the process. He said that he was a single man when he began on this Council and the real people who bore the burden of his service were his family, who had to put up with him. He thanked his father who gave him good political advice to always keep his word. He said that he learned a lot over the years from people like Bill Hudnut, Dave Frick, Fred Armstrong, and Dr. Beurt SerVaas. He said that the years have gone fast and he thanked the Council for putting up with him and said that he is still available to help whenever needed and will continue serving this great community. Bill Brooks, Indianapolis Colts, thanked Councillor Borst for his service and presented him with a Colts jersey sporting the number of years of his service. Councillor Gray moved, seconded by Councillor Cockrum, for adoption. Proposal No. 570, 2007 was adopted by a unanimous voice vote.

Proposal No. 570, 2007 was retitled SPECIAL RESOLUTION NO. 69, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 69, 2007

A SPECIAL RESOLUTION recognizing the accomplishments and service to the community by former Council President, Philip C. Borst, D.V.M.

WHEREAS, Philip C. Borst has been married to his wife, Jill, for 27 years, of which two children, Alex and Eric, were born. He attended Southport High School in Indianapolis, Indiana, and received his Bachelor in Agriculture and his Doctor of Veterinary Medicine from Purdue University in Lafayette, Indiana; and

WHEREAS, Dr. Borst was first elected to the Council in 1980 and has, with integrity and sincerity, served his constituents in the 23rd district and the people of Indianapolis well through 2007. He has most enjoyed helping thousands of residents and businesses navigate city government; and

WHEREAS, Dr. Borst served as President of the City-County Council in 2003, after serving as Vice President and Majority Leader from 2000 to 2002. He also served as Minority Leader from 2004 to 2007, and is the only council member in history to serve in all four capacities; and

WHEREAS, in addition, Councillor Borst served on the Community Affairs Committee, Committee on Committees, Municipal Corporations Committee, Public Safety and Criminal Justice Committee, Rules and Public Policy Committee, and chaired the Metropolitan Development Committee from 1984 through 1993 and the Economic Development Committee from 1995 through 1999; and

WHEREAS, in the area of public safety, Dr. Borst spearheaded the consolidation of emergency communication in Marion County into what is now known as the Metropolitan Emergency Communications Agency (MECA); led the effort to consolidate the crime labs of the Indianapolis Police Department (IPD) and the Sheriff's Department into the present Forensic Services Agency; and authored and sponsored the formation of the Marion County Criminal Justice Planning Council; and

WHEREAS, in the area of economic development, Dr. Borst sponsored and guided through the Council the Hoosier Dome, Circle Centre Mall, Conseco Fieldhouse, three expansions of the Convention Center, Lucas Oil Stadium, early revitalization of the downtown canal, creation of downtown hot dog carts, outdoor cafés, and horse carriages. He also served on the Fort Harrison transition planning effort and influenced the renovation of Madison Avenue from Thompson Road to County Line Road, renovation of Garfield Park, and upgrading of Perry Park, on the south side of Indianapolis; and

WHEREAS, Councillor Borst currently serves in many political, governmental, sports-related, civic, and professional capacities including, but not limited to being a member of the: Marion County Criminal Justice Planning Council, Executive Committee of the Indiana Association of Cities and Towns, Perry Township Republican Club, Women's Big Ten Basketball Championships LOC, Men's Big Ten Basketball Championships LOC, Purdue University John Purdue Club and P Man Letterman Club, Parish Council and Compass Group Strategic Planning of Calvary Lutheran Church, Dean's Advisory Board of Purdue School of Veterinary Medicine, and Board of Directors for Indiana Veterinary Medical Association and Central Indiana Veterinary Medical Association, as well as a host of other boards, committees, and commissions; and

WHEREAS, Dr. Borst has received numerous honors and awards including: being named to Outstanding Young Men of America, Indianapolis News' Outstanding Freshman City-County Councilman, Indianapolis Magazine's Great Expectations in Government-age 40 and under and Best of Indianapolis-Councilman, being named Jaycee Ambassador-highest honor of Jaycees; Southside Indianapolis Sertoma Club's Service to Mankind Award, Who's Who: Veterinary Science and Medicine, Government, Midwest, Emerging Leaders in America, Government Services, and Purdue University Alumni Association's National Citizenship Award; and now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes Councillor Philip C. Borst, D.V.M. for 28 years of dedicated service to Marion County, the City of Indianapolis, and the constituents of district 23.

SECTION 2. On behalf of the citizens of Indianapolis, the Council extends its appreciation and gratitude to Councillor Borst, wishes him the best in his retirement, and encourages him to remain an active participant in the life of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 571, 2007. The proposal, sponsored by All Councillors, recognizes the accomplishments and service to the community by former Council President Rozelle Boyd. Councillor Gray read the proposal and presented Councillor Boyd with a copy of the document and a Council pin. Councillor Boyd stated that the staff has been extremely helpful and professional over the years. He added that he has served under Mayors Lugar, Hudnut, Goldsmith and Peterson and it has been a growing experience. He said that he has developed strong leadership skills and concerns about the continuity of government through democracy and he is fortunate to be a citizen of this country and this city. He said that the transition of power has also been conducted peacefully between administrations, and he hopes that trend continues. Bill Brooks, Indianapolis Colts, thanked Councillor Boyd for his service and presented him with a Colts jersey sporting the number of years of his service. Councillor Gray moved, seconded by

Councillor Moriarty Adams, for adoption. Proposal No. 571, 2007 was adopted by a unanimous voice vote.

Proposal No. 571, 2007 was retitled SPECIAL RESOLUTION NO. 70, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 70, 2007

A SPECIAL RESOLUTION recognizing the accomplishments and service to the community by former Council President, Rozelle Boyd.

WHEREAS, Rozelle Boyd grew up in a still-segregated Indianapolis. He attended Crispus Attucks High School in Indianapolis, Indiana, received his Bachelor of Arts in History and Political Science from Butler University in Indianapolis, Indiana, and his Master of Arts in United States History as a Lilly Fellow from Indiana University in Bloomington, Indiana; and

WHEREAS, after graduating from Butler University, Councillor Boyd returned to Crispus Attucks as a U.S. History teacher and a counselor in the adult education program. He later accepted a position as assistant dean at Indiana University and eventually founded and directed the Groups Special Services Program, which is a program designed to help students who, for a variety of reasons, might not be able to have the typical college experience; and

WHEREAS, Councillor Boyd attended Dr. Martin Luther King Jr.'s "I Have A Dream" speech, and soon after, in 1965, was the first African American to be elected to the Marion County Council. Councillor Boyd was then elected to the consolidated City-County Council in 1969, during which time he initiated the establishment of Martin Luther King's birthday as a legal holiday - for which he was later awarded the first annual Outstanding Achievement Award by the Indiana Christian Leadership Conference - for the City of Indianapolis before it became an official national holiday.

WHEREAS, Councillor Boyd has continuously served his constituents and the citizens of Indianapolis with integrity and sincerity through 2007. He served as Minority Leader of the Council from 1991 to 2003 and was the first African American man to be elected President in 2004; and

WHEREAS, as President, Councillor Boyd advocated the Public Academia initiative, which encouraged partnerships between local universities and government, and as a result, initiated the Early Intervention Planning Council (EIPC) to develop plans for providing early intervention services tailored toward helping at-risk or alleged delinquent children; and

WHEREAS, in addition, Councillor Boyd served on the Administration and Finance Committee, Community Affairs Committee, Committee on Committees, Economic Development Committee, Metropolitan Development Committee, Public Works Committee, and chaired the Rules and Public Policy Committee from 2004 through 2007. He also established the adjournment process that occurs at the conclusion of each council meeting; and

WHEREAS, Councillor Boyd retired from Indiana University as Director of the University Division and has completed or continues to serve on many boards, commissions, and committees including, but not limited to: the General Board and General Assembly of the National Council of Churches, Alpha Phi Alpha Fraternity, Incorporated, Community Action Against Poverty, Indiana Health Careers, Mid-America Association of Educational Opportunity Program Personnel (past president), Indiana Interreligious Commission on Human Equality, Indiana Association of Cities and Towns, NAACP, Urban League, Indiana Conference on Black Politics, National Council of Educational Opportunity Associations, Academy in the Public Service, Central Indiana Council for the Social Studies (past vice president), Indianapolis Symphony Orchestra, Greater Indianapolis Task Force on Intergovernmental Relations, Greater Indianapolis Progress Committee Board of Directors, Employment and Income Security Committee and Human Development Policy Committee of the National League of Cities (past chairman and vice chairman), Board of National League of Cities, and National League of Cities Advisory Council; and

WHEREAS, Councillor Boyd has also served as group leader and director of the Operations Crossroads Africa Program efforts in Botswana, Ethiopia, and Senegal and has received numerous honors and awards including: Indiana Democratic Club: Man of the Year Award, Iota Lambda Chapter of Alpha Phi Alpha Fraternity, Incorporated: Man of the Year Award, Freedom Foundation at Valley Forge: Teachers medal for outstanding service as a public educator, Citizen of the Year Award, Crispus Attucks High School: Distinguished Alumnus Award and election to Hall of Fame, Outstanding Service Award, Educator of the Year Award, Outstanding Achievement in Education, and several editions of Who's Who; and now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes Councillor Rozelle Boyd for 42 years of dedicated service to Marion County, the City of Indianapolis, and the citizens of the consolidated city.

SECTION 2. In an effort to maintain educational/governmental partnerships, the Council extends its appreciation and gratitude to Councillor Boyd, wishes him the best in his retirement, and encourages him to remain an active participant in the life and learning of this community.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 575, 2007. The proposal, sponsored by All Councillors, recognizes four years of dedicated service by Jean Ann Milharcic, Clerk of the Council, and wishes her well in her retirement. Councillor Cockrum read the proposal and presented Ms. Milharcic with a copy of the document and a Council pin. Ms. Milharcic thanked the Council for the opportunity to serve and said that she has grown much through this experience. She thanked Information Services Agency for putting up with her over the years and her many technological requests. Councillor Cockrum stated that Ms. Milharcic has, as other clerks before her, worked well for both parties. He introduced Melissa Thompson in the audience who will be the new Clerk. Councillor Cockrum moved, seconded by Councillor Sanders, for adoption. Proposal No. 575, 2007 was adopted by a unanimous voice vote.

Proposal No. 575, 2007 was retitled COUNCIL RESOLUTION NO. 84, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 84, 2007

A COUNCIL RESOLUTION recognizing four years of dedicated service by Jean Ann Milharcic, Clerk of the Council and wishing her well in her retirement.

WHEREAS, Jean Ann Milharcic was appointed to the position of Clerk of the City-County Council in February, 2004; and

WHEREAS, Mrs. Milharcic spent several years prior to her appointment as Clerk working as executive assistant to the State's House of Representatives Democratic Leader, Pat Bauer, who now serves as Speaker of the House; and

WHEREAS, Mrs. Milharcic has worked diligently to bring the Council Office into the 21st Century by initiating, encouraging, and welcoming technology changes, including the revamping of the Council website to make ordinances, meeting notices and agendas, minutes, and many other related documents available online; and

WHEREAS, Jean will forever be remembered by the staff for her work ethic and professional standards, her flexibility and understanding of family situations, and her good humor and fun-loving spirit during office staff celebrations; and

WHEREAS, placing priority on her family, Mrs. Milharcic will now have more time to spend with her husband Jim, her daughter Jenny, sons Jim, Jr. and Joe and their families, awaiting the arrival of a new grandbaby to add to the three she currently has; and

WHEREAS, Jean will also have more time and energy to care for her parents and to serve in various capacities at St. Mark's Catholic Church, of which she is a member; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

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SECTION 1. The Indianapolis City-County Council recognizes the four years of dedicated service given by Jean Ann Milharcic, Clerk of the Council.

SECTION 2. The Council extends its appreciation and gratitude to Mrs. Milharcic and wishes her well in retirement, as she now has even more time to enjoy her family and church activities.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 574, 2007. The proposal, sponsored by Councillor Cockrum, approves a schedule of regular council meetings for the year 2008. Councillor Cockrum said that there were some questions about the original dates, and those questions have been answered. He moved, seconded by Councillor Sanders, for adoption. Proposal No. 574, 2007 was adopted by a unanimous voice vote.

Proposal No. 574, 2007 was retitled COUNCIL RESOLUTION NO. 85, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 85, 2007

A COUNCIL RESOLUTION approving a schedule of regular council meetings for the year 2008.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council hereby approves the following schedule of regular meetings for the year 2008:

- | | |
|-------------------------------|---------------------------------|
| (1) Monday, January 07, 2008 | (10) Monday, June 23, 2008 |
| (2) Monday, January 28, 2008 | (11) Monday, July 21, 2008 |
| (3) Monday, February 11, 2008 | (12) Monday, August 11, 2008 |
| (4) Monday, March 03, 2008 | (13) Monday, September 8, 2008 |
| (5) Monday, March 24, 2008 | (14) Monday, September 22, 2008 |
| (6) Monday, April 14, 2008 | (15) Monday, October 6, 2008 |
| (7) Monday, April 28, 2008 | (16) Monday, October 27, 2008 |
| (8) Monday, May 19, 2008 | (17) Monday, November 17, 2008 |
| (9) Monday, June 2, 2008 | (18) Monday, December 8, 2008 |

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 593, 2007. The proposal, sponsored by Councillors Mansfield, Sanders, Moriarty Adams, Keller, Nytes, Boyd and Bateman, encourages the Indiana General Assembly to apportion income and other taxes in a more equitable manner. Councillor Mansfield read the proposal and moved, seconded by Councillor Nytes, for adoption.

Councillor Borst said that proposals that deal only with Council business are referred to as Council Resolutions, and therefore, this proposal is not in proper form and should properly be a Special Resolution. Councillor Sanders moved, seconded by Councillor Mansfield, to amend Proposal No. 593, 2007 to a Special Resolution. The motion carried by a unanimous voice vote.

Proposal No. 593, 2007, as amended, was adopted by a unanimous voice vote.

Proposal No. 593, 2007 was retitled SPECIAL RESOLUTION NO. 71, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 71, 2007

A PROPOSAL FOR A SPECIAL RESOLUTION to Encourage Indiana General Assembly to Apportion County Option Income Tax Between the County in which a Person Lives and the County in which a Person Works and to Distribute Other Taxes in a More Equitable Manner.

WHEREAS, the State of Indiana distributes the gasoline tax to local governments based on the linear feet of streets not taking into account the number of lanes in a street such that local governments receive the same distribution whether a street is two lanes or six lanes which creates an inequity for communities with streets with multiple lanes; and

WHEREAS, the Consolidated City of Indianapolis generates a substantial amount of sales tax but the State of Indiana distributes only a portion of this tax to the city. In 2004, the city only received 38% of the sales tax generated within the city through property tax relief and allowances; and

WHEREAS, the city does not receive a portion of the county option income tax from the approximately 198,507 persons who live outside of Marion County that enter the city for work; and

WHEREAS, taking into account approximately 34,151 persons who live in the city and work in surrounding counties for a net of approximately 164,356 persons at an average annual wage of approximately \$31,173 resulting in approximately \$5,123,469,588 of taxable wages as to which the Consolidated City of Indianapolis does not receive any portion of tax on the said income; and

WHEREAS, if the State of Indiana would change the law such that the county option income tax is apportioned between the county in which a person lives and the county in which a person works, for example, two-thirds to the county in which a person lives and one-third to the county in which a person works, the city and county would receive approximately \$28,180,000 in additional income; and

WHEREAS, the city has a significant amount of nontaxable properties that are owned by state and federal governments and nonprofit entities. Yet, the city continues to provide needed services such as police and fire protection and street maintenance; and

WHEREAS, a more equitable matching of revenues generate to services provided is needed; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1: The Council strongly encourages the General Assembly to consider changing Indiana law to provide a more equitable distribution of taxes to local governments.

SECTION 2: The Council strongly encourages the General Assembly to pass legislation to apportion county option income tax between the county in which a person lives and the county in which a person works.

SECTION 3: The Council strongly encourages the General Assembly to pass legislation to distribute the gasoline tax based on the number of street lanes as well as the number of miles.

SECTION 4: The Council strongly encourages the General Assembly to pass legislation to ensure a more equitable distribution of state sales to the local government that generate the revenues.

SECTION 5: The Clerk of the City-County Council is hereby ordered to deliver an original executed copy of this Resolution to the Governor, the President *Pro Tempore* of the Indiana Senate and to the Speaker of the Indiana General Assembly and to each member of the Marion County legislative delegation.

SECTION 6: This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 594, 2007. The proposal, sponsored by Councillor Boyd, recommends that the City-County Council, if feasible and practical, rescind General Ordinance No. 36, 2007 (Proposal No. 264, 2007) which adoption resulted in the approval of an increase in the county income tax by \$0.0065. Councillor Boyd read the proposal and moved, seconded by Councillor Conley, for adoption.

Councillor Boyd said that this proposal does not rescind the tax, but simply states that after review it should be considered to rescind. He said that the proposal encourages the new Council to review the fiscal situation and determine if the tax should be continued or if a different approach is feasible, instead of simply letting the tax continue on its own momentum. He said that he has heard the public and is responding to them by proposing this ordinance. He said that State legislative actions influence several taxing issues, and often trespass and dictate to the Council. He said that this proposal is simply a recommendation to review the tax increase and determine if it is practical and feasible to rescind it. He said that the resolution contains no schedule or timetable, and that review could be scheduled at the will of the newly seated Council.

Councillor Borst said that the Council is not allowed to amend or appeal this tax increase for two years, and therefore, it is already known that it is not practical or feasible. He said that since this Council cannot rescind that tax, this proposal is not germane to this body this evening. Councillor Boyd said that this proposal is simply to encourage the new Council to respond on their own time when it is practical and feasible.

Councillor Borst moved, seconded by Councillor Schneider, to refer Proposal No. 594, 2007 to Committee.

Councillor Boyd said that sending the proposal to Committee would mean that it dies, and it seems that Councillor Borst does not like the idea and wants to kill it.

Councillor Schneider said that he wishes this same kind of zeal and enthusiasm had been shown before the elections when the increase was original passed by the Democrat party. He said that this proposal comes a little too little and too late, and the taxpayers are forced to feel the sting of this increase for at least two years.

Councillor Mahern stated that the increase was not passed by the entire Democrat party, as he did not vote in favor of it. Councillor Schneider apologized and stated that Councillor Mahern is correct, and he should have said a majority of the party.

The President called for a vote on the motion to refer Proposal No. 594, 2007 to committee, stating that only eight votes are needed to send it to committee. The proposal was referred to the Rules and Public Policy Committee on the following roll call vote; viz:

11 YEAS: Borst, Cain, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Randolph, Schneider, Speedy

14 NAYS: Bateman, Boyd, Cockrum, Conley, Gibson, Gray, Lutz, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Pryor, Sanders

0 NOT VOTING:

4 ABSENT: Brown, Carson, Franklin, Vaughn

Councillor Boyd asked what happens now with this proposal. Councillor Borst said that if Councillor Boyd is willing to call a Committee hearing, he will gladly attend.

PROPOSAL NO. 530, 2007. Councillor Gibson reported that the Municipal Corporations Committee heard Proposal No. 530, 2007 on December 10, 2007. The proposal, sponsored by Councillors Gibson and Borst, appoints David Crabb, M.D., to the Marion County Health and Hospital Corporation Board of Trustees. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Gibson moved, seconded by

Councillor Conley, for adoption. Proposal No. 530, 2007 was adopted by a unanimous voice vote.

Proposal No. 530, 2007 was retitled COUNCIL RESOLUTION NO. 86, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 86, 2007

A COUNCIL RESOLUTION appointing David Crabb, MD to the Marion County Health & Hospital Corporation Board of Trustees

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Health & Hospital Corporation Board of Trustees, the Council appoints:

David Crabb, MD

SECTION 2. The appointment made by this resolution is at the pleasure of the Council for a term ending December 31, 2011, or until a successor is appointed and qualified.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 531, 2007. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 531, 2007 on December 11, 2007. The proposal, sponsored by Councillor Gray, appoints Councillor Jackie Nytes as a member of the High Performance Government Team, pursuant to General Ordinance No. 47, 2007 (Proposal No. 388, 2007). By a 3-0-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Sanders moved, seconded by Councillor Conley, for adoption. Proposal No. 531, 2007 was adopted by a unanimous voice vote.

Proposal No. 531, 2007 was retitled COUNCIL RESOLUTION NO. 87, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 87, 2007

A COUNCIL RESOLUTION appointing Councillor Jackie Nytes a a member of the High Performance Government Team.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As co-chairperson of the High Performance Government Team, the Council appoints:

Councillor Jackie Nytes

SECTION 2. The appointment made by this resolution is at the pleasure of the Council for a term ending December 31, 2008 or until a successor is appointed and qualifies, pursuant to Sec. 285-801(4)(h) of the Revised Code of the Consolidated City and County.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal Nos. 553, 554 and 558, 2007 on December 4, 2007.

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PROPOSAL NO. 553, 2007. The proposal, sponsored by Councillors Gray and Pryor, appoints Councillor William C. Oliver to the Crime Prevention Advisory Board. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Boyd moved, seconded by Councillor Sanders, for adoption. Proposal No. 553, 2007 was adopted by a unanimous voice vote.

Proposal No. 553, 2007 was retitled COUNCIL RESOLUTION NO. 88, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 88, 2007

A COUNCIL RESOLUTION appointing Councillor William C. Oliver to the Crime Prevention Advisory Board

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Crime Prevention Advisory Board, the Council appoints:

Councillor William C. Oliver

SECTION 2. The appointment made by this resolution is at the pleasure of the Council for a term ending December 31, 2008 or until a successor is appointed and qualifies, pursuant to Sec. 283-602(b) of the Revised Code of the Consolidated City and County.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 554, 2007. The proposal, sponsored by Councillor Gray, appoints Damon Donaldson to the Crime Prevention Advisory Board. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Boyd moved, seconded by Councillor Conley, for adoption. Proposal No. 554, 2007 was adopted by a unanimous voice vote.

Proposal No. 554, 2007 was retitled COUNCIL RESOLUTION NO. 89, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 89, 2007

A COUNCIL RESOLUTION appointing Damon Donaldson to the Crime Prevention Advisory Board

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Crime Prevention Advisory Board, the Council appoints:

Damon Donaldson

SECTION 2. The appointment made by this resolution is at the pleasure of the Council for a term ending December 31, 2008 or until a successor is appointed and qualifies, pursuant to Sec. 283-602(b) of the Revised Code of the Consolidated City and County.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 558, 2007. The proposal, sponsored by Councillors Sanders and Brown, urges a moratorium on home foreclosures and for Congressional enactment of a Homeowners and Bank Protection Act. By a 5-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst said that this proposal is also not in proper form and does not deal with Council business, and therefore should be a Special Resolution and not a Council Resolution. Councillor Gibson moved, seconded by Councillor Langsford, to amend Proposal No. 558, 2007 to a Special Resolution. The motion carried by a unanimous voice vote.

Councillor Schneider urged his fellow Councillors to oppose the proposal, as this is a federal issue and is not germane to this body. He said that it is also a slap in the face to those people who pay their mortgages on time.

Councillor Gibson said that foreclosures are rampant across the nation and even the middle class cannot afford their mortgages, and even President Bush supports this measure. He said that people should not be forced to lose one of their most valuable assets.

Councillor Oliver said that there are a lot of reasons for foreclosures, other than just taxes. He said that this is occurring all across the spectrum in every economic class.

Councillor Lutz said that he has serious concerns about the originators of this measure, LaRoche, as to their beliefs and how they approach things. He said, however, that sometimes good ideas come from unlikely places, and he supports the measure.

Councillor Borst said that he, like everyone, agrees it is a problem, but he is not sure this is the answer. While the Bush plan may only help about one out of eight households, there is no guarantee this measure will help two out of eight.

Councillor Sanders said that she also has qualms about the originator, but the language has been altered to see a true benefit. She added that Councillors take an oath to promote general welfare of their citizens, and it seems this is a good way to help do that.

Councillor Boyd said that there was a lot of testimony in the Committee hearing, and similar resolutions have been adopted in other communities across the country.

Councillor Sanders moved, seconded by Councillor Boyd, for adoption. Proposal No. 558, 2007, as amended, was adopted on the following roll call vote; viz:

*15 YEAS: Bateman, Boyd, Conley, Gibson, Gray, Keller, Lutz, Mahern, Mansfield, Moriarty
Adams, Nytes, Oliver, Pfisterer, Pryor, Sanders*

*10 NAYS: Borst, Cain, Cockrum, Day, Langsford, McWhirter, Plowman, Randolph,
Schneider, Speedy*

4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 558, 2007 was retitled SPECIAL RESOLUTION NO. 74, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 74, 2007

A PROPOSAL FOR A SPECIAL RESOLUTION urging a moratorium on home foreclosures and Congressional enactment of a Homeowners and Bank Protection Act.

WHEREAS, a financial crisis involving home mortgages, debt instruments and the United States banking system threatens economic stability; and

WHEREAS, the financial crisis threatens the integrity of federal and chartered banks such that consumer deposits and life savings are jeopardized; and

December 17, 2007

WHEREAS, financial investments and home ownership is the fabric of economic stability and the stability of financial institutions; and

WHEREAS, millions of Americans and thousands of Indiana residents are facing foreclosures on their homes; and

WHEREAS, historically the federal government has intervened to protect financial institutions and home ownership and to provide guarantees of social and economic stability; and

WHEREAS, the quality of life in any community can be directly related to the responsiveness of government and its ability to meet the needs and expectations of its citizens; and

WHEREAS, the citizens of Indianapolis and Marion County, understand the connection and elect local leaders with certain expectations regarding the service they will provide and the role they will play in their lives; and

WHEREAS, those elected to serve the citizens of Indianapolis and Marion County accept the privilege of service with the understanding of their responsibility and the expectation of the community; and

WHEREAS, the accountability for the city's viability, prosperity and overall well-being lies with those elected to serve local government, now therefore

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council call upon The United States Congress to take emergency action to protect homeowners by enacting a Homeowners and Banks Protection Act specifically to:

- (1) Establish a federal agency to place Federal and State chartered banks under protection, freezing all existing home mortgages for a period of time, adjusting mortgage values to fair prices, restructuring existing mortgages at appropriate interest rates and writing off speculative debt obligations of mortgage-backed securities, financial derivatives and other forms of financial pyramid schemes that have brought the banking system to the point of bankruptcy;
- (2) Declare a moratorium on all home foreclosures for the duration of the transitional period, allowing families to retain their homes;
- (3) Require affordable monthly home mortgage payments, the equivalent of "rental payments," to be made to designated banks for use as collateral in normal lending practices for recapitalization of the banking industry and to factor such affordable payments into new mortgages thereby deflating the housing bubble, establishing appropriate property valuation and reducing fixed mortgage interest rates;
- (4) Provide an interim period during which homeowners may not be evicted from their homes and protection to banks pending the resumption of traditional banking functions, including serving local communities and facilitating credit for investment in productive entities; and
- (5) Authorize state governors to administer the implementation of programs, including provisions for "rental" assessments payable to specific banks and with provisions for necessary federal guarantees and credits to assure successful transition.

SECTION 2. BE IT FURTHER RESOLVED that this resolution serve as notice that the City-County Council has been, is, and shall be vigilant as guardians of the public interest of the citizens of Indianapolis in all matters to the extent legally feasible and possible.

SECTION 3. The Clerk of the Council is hereby directed to transmit a true and correct copy of the adopted resolution to members of the United States Senate and the House of Representatives.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - PRIORITY BUSINESS

Councillor Nytes reported that the Economic Development Committee heard Proposal Nos. 559-561, 2007 on December 12, 2007.

PROPOSAL NO. 559, 2007. The proposal, sponsored by Councillor Nytes, is an inducement resolution for Herman and Kittle Properties, Inc. in an amount not to exceed \$18,000,000 for the acquisition and construction of a 271-unit affordable housing project located at South Shelby Street north of County Line Road (Brookhaven at County Line Road Project) (District 23). By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Speedy said that he will abstain to avoid the appearance of a conflict of interest.

Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 559, 2007 was adopted on the following roll call vote; viz:

23 YEAS: Bateman, Borst, Boyd, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders
2 NOT VOTING: Schneider, Speedy
4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 559, 2007 was retitled SPECIAL RESOLUTION NO. 72, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 72, 2007

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer") is authorized by IC 36-7-11.9 and IC 36-7-12 (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be used for the construction, installation and equipping of said facilities, and said facilities to be either sold or leased to a company or the proceeds of the revenue bond issue may be loaned to the company and said facilities directly owned by the company; and

WHEREAS, Herman & Kittle Properties Inc., or its assigns (the "Applicant") has advised the Indianapolis Economic Development Commission (the "Commission") and the Issuer that it proposes that the Issuer either acquire certain economic development facilities and sell or lease the same to the Applicant or loan the proceeds of an economic development financing to the Applicant for the same, said economic development facilities to consist of the acquisition and rehabilitation of the project known as Brookhaven at County Line Apartments consisting of a 271 unit located South Shelby Street north of County Line Road in District 23 (the "Project"); and

WHEREAS, the diversification of industry and the creation and retention of opportunities for gainful employment and the creation of business opportunities to be achieved by the acquisition and construction of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of benefit to the health and general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

**BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the creation and retention of opportunities for gainful employment within the jurisdiction of the Issuer; is desirable, serves a public purpose and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that the Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$18,000,000 under the Act to be privately placed or publicly offered if permitted by current policy of the Commission for the acquisition and rehabilitation of the Project and the sale or leasing of the Project to the Applicant or the loan of the proceeds of the revenue bonds to the Applicant for the acquisition and construction of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition and rehabilitation of the Project, the commission requests the City-County Council of the Issuer to (i) take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that the proposed inducement resolution expires on October 31, 2008, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the City-County Council of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action extends the term of the inducement resolution; and (ii) it will adopt such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds provided that at the time of the proposed issuance of such bonds (a) the inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during the calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurance that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may, and in all probability will, be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bond and have received inducement resolutions; and (3) no portion of such private activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose [as defined in the Act] at the time of the authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act .

SECTION 4. All costs of the Project incurred after the date which is sixty (60) days prior to the adoption of the special resolution to be adopted by the City-County Council of the Issuer, including reimbursement or repayment to the Applicant of monies expended by the Applicant for application fees, planning, engineering, underwriting expenses, attorney and bond counsel fees, and acquisition and construction and equipping of the Project will be permitted to be included as part of the bond issue to finance said Project, and the Issuer will thereafter sell the Project to the Applicant or loan the proceeds of the revenue bonds to the Applicant for the Project. Also certain indirect expenses incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project in accordance with the Final Regulations (T 8476) on Arbitrage Restrictions on Tax-Exempt Bonds in particular Section 1.150-2.

SECTION 5. This Commission recognizes that the Applicant may utilize Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

SECTION 6. The Council hereby finds and determines that the amount of tax credits to be allocated to the Project under Section 42 of the Internal Revenue Code of 1986, as amended, does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, the Issuer has relied upon representations of the Applicant. The foregoing determinations shall not be construed to be a representation or warranty by the Issuer as to the feasibility or viability of the Project. The Mayor of the City of Indianapolis (the "Mayor") is hereby directed to delegate to the Director, Department of Metropolitan Development, the authority to execute on behalf of the Mayor and the Issuer any and all documents required in the application process for tax credit or volume cap allocations from the appropriate State of Indiana agency. In reliance upon the representations of the Applicant, it is hereby

found and determined that the Project satisfies the requirements for the allocation of a housing credit dollar amount under the State's qualified allocation plan.

SECTION 7 This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 560, 2007. The proposal, sponsored by Councillor Nytes, is a final resolution for GMF Mann Village, LLC in an amount not to exceed \$14,500,000 for the acquisition and rehabilitation of a 336-unit project formerly known as Mann Village Apartments (District 22). By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Nytes moved, seconded by Councillor Oliver, for adoption. Proposal No. 560, 2007 was adopted on the following roll call vote; viz:

22 YEAS: Bateman, Borst, Boyd, Cain, Cockrum, Conley, Day, Gibson, Gray, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Speedy

0 NAYS:

3 NOT VOTING: Keller, Langsford, Schneider

4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 560, 2007 was retitled SPECIAL ORDINANCE NO. 12, 2007, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 12, 2007

A SPECIAL ORDINANCE of the City-County Council of the City of Indianapolis, Indiana authorizing the issuance of economic development multifamily revenue bonds by the City of Indianapolis, Indiana, in an aggregate principal amount not to exceed \$15,000,000, the proceeds of which shall be loaned to GMF Mann Village, LLC to finance the acquisition and rehabilitation of the project formerly known as Mann Village Apartments located within the City of Indianapolis, Indiana, and approving and authorizing other actions in respect thereto.

WHEREAS, at a meeting open to the public held December 5, 2007, the Indianapolis Economic Development Commission (the "Commission") of the City of Indianapolis, Indiana (the "Issuer") adopted its Resolution which approved the issuance of economic development revenue multifamily bonds by the Issuer and the loan of the proceeds thereof to the Borrower (as hereinafter defined) to finance the acquisition and rehabilitation of the project formerly known as Mann Village Apartments consisting of 336 units located at 4010 Mann Village Road (the "Project") to be undertaken by GMF Village, LLC (the "Borrower"), pursuant to the provisions of Indiana Code 36-7-11.9 and -12, as amended (collectively, the "Act"); and

WHEREAS, pursuant to and in accordance with the provisions of the constitution and the laws of the State of Indiana, and particularly the Act, the Issuer is now prepared to issue and sell one or more series of its City of Indianapolis Multifamily Revenue Bonds, Series 2007 (GMF Mann Village Apartments Project) (the "Bonds"), in an aggregate principal amount not to exceed \$15,000,000 to obtain funds to finance a portion of the cost the Project, by making a loan to the Borrower, all under and in accordance with the Constitution and the laws of the State of Indiana.

WHEREAS, the Bonds will be purchased by Red Stone Purchase II LLC (the "Underwriter") in a private direct sale; and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of a Loan and Loan Agreement, between the Issuer and the Borrower (the "Loan Agreement"); and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of an Indenture of Trust between the Issuer and the Bank of New York Trust Company, N.A., as trustee (the "Trustee") (the "Trust Indenture"); and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of the Tax Regulatory Agreement among the Issuer, the Trustee and the Borrower (the "Regulatory Agreement"); and

WHEREAS, the Issuer has caused to be prepared and presented (collectively, the "Loan Documents") forms of the following documents which the Issuer proposes to approve the terms of or enter into:

1. the Loan Agreement;
2. the Trust Indenture;
3. the Regulatory Agreement ; and
4. the Bonds.

WHEREAS, the Issuer is a municipal corporation and political subdivision of the State of Indiana (the "State"), and by virtue of the constitution and laws of the State, including the Act, is authorized and empowered, among other things, to (a) provide funds for the Project; (b) issue its revenue refunding bonds for the purpose set forth herein; (c) secure such revenue bonds by a pledge and assignment of revenues and other documents as provided for herein; and (d) adopt this Bond Ordinance, execute the Loan Documents and all other documents to be executed by it in connection with the issuance of the Bonds, upon the terms and conditions provided therein; and

WHEREAS, the City-County Council (the "Council") has found and determined, and does hereby confirm, that the Project will be to the benefit of the health and general welfare of the citizens of the Issuer, and that the Issuer, by assisting with the Loan of the Project through the issuance of one or more series of revenue refunding bonds in an aggregate principal amount not to exceed \$15,000,000, will be acting in a manner consistent with and in furtherance of the provisions of the Act; and

WHEREAS, no member of the Council has any pecuniary interest in any employment, Loan agreement or other contract made under the provisions of the Act and related to the Bonds authorized herein, which pecuniary interest has not been fully disclosed to the Council and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-6; and

WHEREAS, the Borrower will own the real property, improvements located thereon and the equipment constituting the Project, and the Borrower will be liable for the debt described in the Loan Agreement; and

WHEREAS, based upon the resolution adopted by the Commission pertaining to the Project, the Issuer hereby finds and determines that the Loan approved by the Commission for the Project will be of benefit to the health and general welfare of the citizens of the Issuer, complies with the provisions of the Act and the amount necessary to finance the costs of the Project, will require the issuance, sale and delivery of one or more series of economic development revenue bonds in an aggregate principal amount not to exceed \$15,000,000; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF
THE CITY OF INDIANAPOLIS, INDIANA, AS FOLLOWS:

SECTION 1. Definitions. In addition to the words and terms defined in this Bond Ordinance, the words and terms used in this Bond Ordinance shall have the meanings set forth in the Loan Documents unless the context or use indicates another or different meaning or intent, which forms are before this meeting, are hereby incorporated by reference in this Bond Ordinance, and the Clerk of the Issuer (the "Clerk") is hereby directed to insert them into the minutes of the Issuer and to keep them on file as specified in Section 13 hereof.

Any reference herein to the Issuer, or to any officers thereof, shall include those which succeed to their functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions.

Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, and the terms "hereof," "hereby," "hereto," "hereunder," and similar terms, mean this Bond Ordinance.

SECTION 2. Authorization of the Bonds. It is hereby determined to be necessary to, and the Issuer shall, issue, sell and deliver, as provided and authorized herein and pursuant to the authority of the Act, revenue refunding bonds in one or more series in the maximum aggregate principal amount not to exceed \$15,000,000 and shall be designated as City of Indianapolis, Indiana, Multifamily Revenue Refunding Bonds (GMF Mann Village Apartments Project) Series 2007 (the "Bonds"), including such further appropriate particular designation or designations added to or incorporated into such title for the Bonds as the Issuer may determine. The proceeds of the Bonds will be purchased by the Underwriter and the proceeds thereof shall be used to make a loan to the Borrower to pay the cost of the Project, which Project will be used as an economic development facility within the meaning of the Act.

SECTION 3. Terms and Execution of the Bonds. The Bonds shall be issued as fully registered bonds, without coupons, in the denominations set forth in the Bonds, numbered consecutively as set forth in the Bonds, and shall be payable at the office of the Underwriter and mature as provided in the Bond. The Bonds shall have such terms, bear such interest rates (at a fixed rate not to exceed twelve percent (12%) or a variable rate to be determined as set forth in the Bond, and be subject to mandatory and optional redemption or tender as provided therein. The Bonds shall be executed and attested on behalf of the Issuer by the manual or facsimile signatures of the Mayor of the Issuer (the "Mayor"), and the Clerk, respectively, and the seal of the Issuer shall be impressed thereon or a facsimile of such seal placed thereon. In case any officer whose signature or a facsimile thereof shall appear on the Bonds shall cease to be such officer before the issuance or delivery of the Bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until after that time.

The substantially final form of the Bonds approved by the Commission and submitted to this meeting, subject to appropriate insertions and revisions in order to comply with the provisions of the Trust Indenture, is hereby ratified, and when the same shall be executed on behalf of the Issuer by the appropriate officers thereof in the manner contemplated by the Loan Documents in an aggregate principal amount not to exceed \$15,000,000 shall represent the approved form of Bonds of the Issuer.

The Bonds are special, limited obligations of the Issuer payable solely from payments of principal of, premium, if any, and interest on the Bonds by the Borrower under the Loan Agreement, except to the extent that the principal of, premium, if any, and interest on the Bonds may be paid out of money attributable to Bond proceeds or from temporary investments thereof.

SECTION 4. Sale of the Bonds. The Issuer will sell the Bonds pursuant to the terms of the Trust Indenture at the purchase prices set forth therein, and on the terms and conditions described therein.

SECTION 5. Arbitrage Provisions. Subject to the obligations of the Borrower set forth in the Loan Agreement and the Tax Representation Certificate, the Issuer will use its best efforts to restrict the use of the proceeds of the Bonds in such a manner and to expectations at the time the Bonds are delivered to the purchasers thereof, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations promulgated thereunder. The Mayor and the Clerk, or any other officer having responsibility with respect to the issuance of the Bonds, are authorized and directed, alone or in conjunction with any of the foregoing, or with any other officer, employee, consultant or agent of the Issuer, to deliver a certificate for inclusion in the transcript of proceedings for the Bonds, setting forth the facts, estimates and circumstances and reasonable expectations pertaining to said Section 148 of the Code and the regulations thereunder.

SECTION 6. Loan Documents and all other Documents to be Executed or Accepted by the Issuer. In order to better secure the payment of the principal of, premium, if any, and interest on the Bonds as the same shall become due and payable, the Mayor and the Clerk are authorized and directed to execute, acknowledge and deliver, in the name and on behalf of the Issuer, the Loan Documents, and all other material instruments, agreements, closing papers, certificates, assignments or other documents, including, but not limited to, any such agreements or documents necessary or appropriate for arranging for credit enhancement or securing interest rate protection for the Bonds or investing proceeds of the Bonds, to be executed or accepted by it in substantially the forms submitted to the Issuer or its counsel and not inconsistent with the foregoing documents, with such changes therein not inconsistent with this Bond Ordinance and not substantially adverse to the Issuer as may be permitted by the Act and approved by the officers executing the same on behalf of the Issuer without further approval of the Council or of the Commission if such changes do not affect terms set forth in Indiana Code 36-7-12-27(a)(1) through (a)(10). The approval of such changes by such officers, to the extent such are not substantially adverse to the Issuer, shall be conclusively evidenced by the execution or acceptance of receipt of any of the foregoing documents by such officers.

SECTION 7. Covenants of the Issuer. In addition to other covenants of the Issuer in this Bond Ordinance, the Issuer further covenants and agrees as follows:

(a) Payment of Principal, Premium and Interest. The Issuer will pay, solely from the sources herein provided, or cause to be paid the principal of, premium, if any, and interest on each and all Bonds on the dates, at the places and in the manner provided herein and in the Bonds, and in all other documents referred to herein.

(b) Performance of Covenants, Authority and Actions. The Issuer will at all times faithfully observe and perform all agreements, covenants, undertakings, stipulations and provisions contained in the Loan Documents executed and delivered, or received, under this Bond Ordinance, and in all other

proceedings of the Issuer pertaining to the Loan Documents. The Issuer warrants and covenants that it is, and upon delivery of the Bonds will be, duly authorized by the laws of the State, including particularly and without limitation, the Act, to issue the Bonds and to execute the Loan Documents and all other documents to be executed or received by it, to provide the security for payment of the principal of, premium, if any, and interest on the Bonds in the manner and to the extent herein set forth; that all actions on its part for the issuance of the Bonds and execution or acceptance and delivery of the Loan Documents and all other documents to be executed or accepted by it have been or will be duly and effectively taken; and that the Bonds will be valid and enforceable special obligations of the Issuer according to the terms thereof. Each provision of this Bond Ordinance, the Loan Documents and all other documents to be executed by the Issuer is binding upon such officer of the Issuer as may from time to time have the authority under law to take such actions as may be necessary to perform all or any part of the duty required by such provision; and each duty of the Issuer and of its officers and employees undertaken pursuant to such proceedings for the Bonds and all other documents to be executed by the Issuer is established as a duty of the Issuer and of each such officer and employee having authority to perform such duty.

SECTION 8. No Personal Liability. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this Bond Ordinance, the Loan Documents or under any judgment obtained against the Issuer or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Loan Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the Issuer, either directly or through the Issuer, or otherwise, for the payment for or to the Issuer or any receiver thereof, or for or to any holder of the Bonds secured thereby, or otherwise, of any sum that may be due and unpaid by the Issuer upon any of such Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the Issuer or any receiver thereof, or for or to any owner or holder of the Bonds, or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or any of them, shall be expressly waived and released as a condition of and consideration for the execution and delivery of the Loan Agreement and the issuance, sale and delivery of the Bonds.

SECTION 9. Indemnification. The Borrower will indemnify and hold the Issuer, including its officials, attorneys, employees and agents, free and harmless from any loss, claim, damage, tax, penalty, liability, disbursement, litigation expenses, attorneys' fees and expenses and other court costs arising out of, or in any way relating to, the execution or performance of the Loan Documents or other documents in connection therewith or any other cause whatsoever pertaining to the Project or the Bonds, including the issuance and sale of the Bonds or failure to issue or sell the Bonds or other actions taken under the Loan Documents or other documents in connection therewith or any other cause whatsoever pertaining to the Project or the Bonds, all as further described in the Loan Agreement, except in any case as a result of the intentional misrepresentation or willful misconduct of the Issuer.

SECTION 10. No Debt or Tax Pledge. Pursuant to Indiana Code 36-7-12-25(b), the Bonds shall not constitute a general obligation debt or pledge of the faith and credit of the Issuer, the State or any political subdivision thereof, and the holders, or owners thereof shall have no right to have taxes levied by the Issuer, the State or of any political subdivision, for the payment of the principal thereof or interest thereon. Moneys raised by taxation shall not be obligated or pledged for the payment of principal of or interest on the Bonds, and the Bonds shall be payable solely from the revenues and security interests pledged for their payment as authorized by the Trust Indenture and the Underwriter. The Bonds shall not be taken into account in determining whether obligations issued by or on behalf of the Issuer and subordinate entities thereof during the calendar year 2006 may be designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code.

SECTION 11. Severability. If any section, paragraph or provision of this Bond Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Bond Ordinance.

SECTION 12. Repeal of Conflicting Ordinances, Resolutions and Orders. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Bond Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 13. Public Inspection. Two copies of each of the Loan Documents are on file in the office of the Clerk for public inspection pursuant to Indiana Code 36-1-5-4.

SECTION 14. Compliance with Open Door Law. It is hereby determined that all formal actions of the Council relating to the adoption of this Bond Ordinance were taken in one or more open meetings of the

Council, that all deliberations of the Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including Indiana Code 5-14-1.5 et seq., as amended.

SECTION 15. Additional Actions. The Mayor and the Clerk are authorized to take all such further actions or to execute, attest and deliver such further instruments and documents in the name of the Issuer as in their judgment shall be necessary or advisable in order fully to consummate the transaction and carry out the purposes of this Bond Ordinance.

SECTION 16. Effective Date. This Bond Ordinance shall be in full force and effect upon compliance with Indiana Code 36-3-4 et seq.

PROPOSAL NO. 561, 2007. The proposal, sponsored by Councillor Nytes, is a final resolution for AmeriPlex PRF Accelerator Park-Indianapolis, LLC in an amount not to exceed \$5,250,000 for the construction and completion of an industrial 50,400 square foot flex building and related improvements on a portion of the land comprising a mixed-use development to be known as Accelerator Park (District 22). By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Cockrum said that he has concerns about development in that area due to the United debt, but he feels some of that debt may be offset by the hotels, and therefore he supports the proposal.

Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 561, 2007 was adopted on the following roll call vote; viz:

25 YEAS: Bateman, Borst, Boyd, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy
0 NAYS:
4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 561, 2007 was retitled SPECIAL ORDINANCE NO. 13, 2007, and reads as follows:

CITY-COUNTY SPECIAL ORDINANCE NO. 13, 2007

A SPECIAL ORDINANCE of the City-County Council of the City of Indianapolis, Indiana authorizing the issuance of taxable economic development revenue bonds by the city of Indianapolis, Indiana, in an aggregate principal amount not to exceed \$5,250,000, the proceeds of which shall be loaned to AmeriPlex PRF Accelerator Park – Indianapolis, LLC, to finance the construction and completion of an industrial flex building initially consisting of approximately 50,400 square feet and related improvements on a portion of land comprising a mixed-use development to be known as AmeriPlex PRF Accelerator Park, and approving and authorizing other actions in respect thereto.

WHEREAS, at a meeting open to the public held December 5, 2007, the Indianapolis Economic Development Commission (the "Commission") of the City of Indianapolis, Indiana (the "Issuer") adopted its resolution (the "Commission Resolution") which approved the issuance of taxable economic development revenue bonds by the Issuer and the loan of the proceeds thereof to the Developer (as hereinafter defined) to finance the construction and completion of an industrial flex building, initially consisting of approximately 50,400 square feet, and related improvements on a portion of the land comprising a mixed-use development to be known as AmeriPlex PRF Accelerator Park (the "Project") to be undertaken by AmeriPlex PRF Accelerator Park - Indianapolis, LLC (the "Developer"), pursuant to the provisions of Indiana Code 36-7-11.9 and -12, as amended (collectively, the "Act"); and

WHEREAS, pursuant to and in accordance with the provisions of the constitution and the laws of the State of Indiana, and particularly the Act, the Issuer is now prepared to issue and sell one or more series of its City of Indianapolis, Indiana Taxable Economic Development Revenue Bonds, Series 2007 (AmeriPlex PRF Accelerator Park Project) (the "Bonds"), in an aggregate principal amount not to exceed

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\$5,250,000 to obtain funds to finance the construction and completion of Project, by making a loan to the Developer, all under and in accordance with the Constitution and the laws of the State of Indiana; and

WHEREAS, The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank") and the Developer will enter into a Project Agreement (the "Project Agreement") relating to the construction and completion of the Project; and

WHEREAS, as an inducement to the Developer to undertake the development of the Project, the Bond Bank has agreed, pursuant to the Project Agreement, to cause to be provided certain funds from the sale of the Bonds for use in the development of the Project; and

WHEREAS, the Commission has rendered its report regarding the proposed financing of a portion of certain economic development facilities for the Project to be undertaken by the Developer; and

WHEREAS, the Commission has heretofore conducted a public hearing in accordance with Indiana Code 36-7-12-24 and adopted its Commission Resolution subsequent thereto finding that the financing of a portion of certain economic development facilities to be developed by the Developer through the issuance of the Bonds complies with the purposes and provisions of the Act and that such financing will be of benefit to the health, prosperity, economic stability and general welfare of the City of Indianapolis, Indiana, and its citizens; and

WHEREAS, the Commission has heretofore approved and recommended the adoption of this form of ordinance by this City-County Council (the "Council"), has considered the issue of adverse competitive effect and has approved the forms of and has transmitted for approval by the Council, the Financing Documents (as hereinafter defined); and

WHEREAS, the Metropolitan Development Commission of Marion County, Indiana, acting as the Redevelopment Commission of the City of Indianapolis, Indiana (the "MDC"), on December 5, 2007 adopted its resolution (the "MDC Resolution") pledging to the payment of the Bonds certain property taxes on incremental increases in assessed value of certain real property (the "TIF Revenues") located within the Airport Industrial Economic Development Area and Airport Industrial Economic Development Expansion Area, including their respective allocation areas, each as established by the MDC (collectively, the "Economic Development Area"); and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of a Financing Agreement, between the Issuer and the Developer (the "Financing Agreement"); and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the execution and delivery of a Trust Indenture between the Issuer and Hoosier Trust Company, as Trustee (the "Trust Indenture"); and

WHEREAS, it is now necessary, desirable and in the best interests of the Issuer to authorize the sale and delivery of the Bonds to the Bond Bank pursuant to a Qualified Entity Purchase Agreement between the Issuer and the Bond Bank (the "QE Purchase Agreement"); and

WHEREAS, the Issuer has caused to be prepared and presented (collectively, the "Financing Documents") forms of the following documents which the Issuer proposes to approve the terms of or enter into:

1. the Financing Agreement;
2. the Project Agreement;
3. the Trust Indenture;
4. the QE Purchase Agreement; and
5. the Bonds.

WHEREAS, the Issuer is a municipal corporation and political subdivision of the State of Indiana (the "State"), and by virtue of the constitution and laws of the State, including the Act, is authorized and empowered, among other things, to (a) provide funds for the Project; (b) issue its revenue bonds for the purpose set forth herein; (c) secure such revenue bonds by a pledge and assignment of revenues and other documents as provided for herein; and (d) adopt this Bond Ordinance, execute the Financing Documents and all other documents to be executed by it in connection with the issuance of the Bonds, upon the terms and conditions provided therein; and

WHEREAS, the Council has found and determined, and does hereby confirm, that the Project will be to the benefit of the health and general welfare of the citizens of the Issuer, and that the Issuer, by

assisting with the financing of the Project through the issuance of one or more series of revenue bonds in an aggregate principal amount not to exceed \$5,250,000, will be acting in a manner consistent with and in furtherance of the provisions of the Act; and

WHEREAS, no member of the Council has any pecuniary interest in any employment, financing agreement or other contract made under the provisions of the Act and related to the Bonds authorized herein, which pecuniary interest has not been fully disclosed to the Council and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-6; and

WHEREAS, the Developer will own the real property, improvements located thereon and the equipment constituting the Project; and

WHEREAS, based upon the resolution adopted by the Commission pertaining to the Project, the Issuer hereby finds and determines that the financing approved by the Commission for the Project will be of benefit to the health and general welfare of the citizens of the Issuer, complies with the provisions of the Act and the amount necessary to finance the costs of the Project, will require the issuance, sale and delivery of one or more series of economic development revenue bonds in an aggregate principal amount not to exceed \$5,250,000; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF
THE CITY OF INDIANAPOLIS, INDIANA, AS FOLLOWS:

SECTION 1. Definitions. In addition to the words and terms defined in this Bond Ordinance, the words and terms used in this Bond Ordinance shall have the meanings set forth in the Financing Documents unless the context or use indicates another or different meaning or intent, which forms are before this meeting, are hereby incorporated by reference in this Bond Ordinance, and the Clerk of the Issuer (the "Clerk") is hereby directed to insert them into the minutes of the Issuer and to keep them on file as specified in Section 15 hereof.

Any reference herein to the Issuer, or to any officers thereof, shall include those which succeed to their functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions.

Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, and the terms "hereof," "hereby," "hereto," "hereunder," and similar terms, mean this Bond Ordinance.

SECTION 2. Authorization of the Bonds. It is hereby determined to be necessary to, and the Issuer shall, issue, sell and deliver, as provided and authorized herein and pursuant to the authority of the Act, revenue bonds in one or more series in the maximum aggregate principal amount not to exceed \$5,250,000 and designated as City of Indianapolis, Indiana Taxable Economic Development Revenue Bonds, Series 2007 (AmeriPlex PRF Accelerator Park Project) (the "Bonds"), including such further appropriate particular designation or designations added to or incorporated into such title for the Bonds as the Issuer may determine. The Bonds will be purchased by the Bond Bank and the proceeds thereof shall be used to make a loan to the Developer to pay the cost of the Project pursuant to the terms of the Financing Documents, which Project constitutes an economic development facility within the meaning of the Act.

SECTION 3. Terms and Execution of the Bonds. The Bonds shall be issued as fully registered bonds, without coupons, in the denominations set forth in the Bonds, numbered consecutively as set forth in the Bonds, and shall be payable and mature as provided in the Bonds. The Bonds shall have such terms, bear such interest rates (at a fixed rate not to exceed twelve percent (12%) per annum or a variable rate to be determined as set forth in the Bond), and be subject to mandatory and optional redemption or tender as provided therein. The Bonds shall be executed and attested on behalf of the Issuer by the manual or facsimile signatures of the Mayor of the Issuer (the "Mayor"), and the Clerk, respectively, and the seal of the Issuer shall be impressed thereon or a facsimile of such seal placed thereon. In case any officer whose signature or a facsimile thereof shall appear on the Bonds shall cease to be such officer before the issuance or delivery of the Bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until after that time.

The substantially final form of the Bonds approved by the Commission and submitted to this meeting, subject to appropriate insertions and revisions in order to comply with the provisions of the Trust Indenture, is hereby ratified, and when the same shall be executed on behalf of the Issuer by the appropriate officers thereof in the manner contemplated by the Financing Documents in an aggregate principal amount not to exceed \$5,250,000 shall represent the approved form of Bonds of the Issuer.

The Bonds are special, limited obligations of the Issuer payable solely from the TIF Revenues and other sources pursuant to the Financing Documents or as otherwise provided in the above-described Trust Indenture. The Bonds shall never constitute a general obligation of, an indebtedness of, or a charge against the general credit of the Issuer nor are the Bonds payable in any manner from revenues raised by taxation.

SECTION 4. Sale of the Bonds. The Issuer will sell the Bonds to the Bond Bank pursuant to the terms of the QE Purchase Agreement at the purchase prices set forth therein, and on the terms and conditions described therein.

SECTION 5. Financing Documents and all other Documents to be Executed or Accepted by the Issuer. In order to better secure the payment of the principal of, premium, if any, and interest on the Bonds as the same shall become due and payable, the Mayor, Controller of the Issuer (the "Controller") and the Clerk are authorized and directed to execute, acknowledge and deliver, in the name and on behalf of the Issuer, the Financing Documents, and all other material instruments, agreements, closing papers, certificates, assignments or other documents, including, but not limited to, any such agreements or documents necessary or appropriate for arranging for credit enhancement or securing interest rate protection for the Bonds or investing proceeds of the Bonds, to be executed or accepted by it in substantially the forms submitted to the Issuer or its counsel and not inconsistent with the foregoing documents, with such changes therein not inconsistent with this Bond Ordinance and not substantially adverse to the Issuer as may be permitted by the Act and approved by the officers executing the same on behalf of the Issuer without further approval of the Council or of the Commission if such changes do not affect terms set forth in Indiana Code 36-7-12-27(a)(1) through (a)(10). The approval of such changes by such officers, to the extent such changes are not substantially adverse to the Issuer, shall be conclusively evidenced by the execution or acceptance of receipt of any of the foregoing documents by such officers.

SECTION 6. Covenants of the Issuer. In addition to other covenants of the Issuer in this Bond Ordinance, the Issuer further covenants and agrees as follows:

(a) Payment of Principal, Premium and Interest. The Issuer will pay, solely from the sources herein provided, or cause to be paid the principal of, premium, if any, and interest on each and all Bonds on the dates, at the places and in the manner provided herein and in the Bonds, and in all other documents referred to herein.

(b) Performance of Covenants, Authority and Actions. The Issuer will at all times faithfully observe and perform all agreements, covenants, undertakings, stipulations and provisions contained in the Financing Documents executed and delivered, or received, under this Bond Ordinance, and in all other proceedings of the Issuer pertaining to the Financing Documents. The Issuer warrants and covenants that it is, and upon delivery of the Bonds will be, duly authorized by the laws of the State, including particularly and without limitation, the Act, to issue the Bonds and to execute the Financing Documents and all other documents to be executed or received by it, to provide the security for payment of the principal of, premium, if any, and interest on the Bonds in the manner and to the extent herein set forth; that all actions on its part for the issuance of the Bonds and execution or acceptance and delivery of the Financing Documents and all other documents to be executed or accepted by it have been or will be duly and effectively taken; and that the Bonds will be valid and enforceable special obligations of the Issuer according to the terms thereof. Each provision of this Bond Ordinance, the Financing Documents and all other documents to be executed by the Issuer is binding upon such officer of the Issuer as may from time to time have the authority under law to take such actions as may be necessary to perform all or any part of the duty required by such provision; and each duty of the Issuer and of its officers and employees undertaken pursuant to such proceedings for the Bonds and all other documents to be executed by the Issuer is established as a duty of the Issuer and of each such officer and employee having authority to perform such duty.

SECTION 7. No Personal Liability. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this Bond Ordinance, the Financing Documents or under any judgment obtained against the Issuer or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, under or independent of the Financing Agreement, shall be had against any member, director, or officer or attorney, as such, past, present, or future, of the Issuer, either directly or through the Issuer, or otherwise, for the payment for or to the Issuer or any receiver thereof, or for or to any holder of the Bonds secured thereby, or otherwise, of any sum that may be due and unpaid by the Issuer upon any of such Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such member, director, or officer or attorney, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the Issuer or any receiver thereof, or for or to any owner or holder of the Bonds, or otherwise, of any sum that may remain due and unpaid upon the Bonds hereby secured or any of them, shall be expressly waived and released as a

condition of and consideration for the execution and delivery of the Financing Agreement and the issuance, sale and delivery of the Bonds.

SECTION 8. Indemnification. The Developer will indemnify and hold the Issuer, including its officials, attorneys, employees and agents, free and harmless from any loss, claim, damage, tax, penalty, liability, disbursement, litigation expenses, attorneys' fees and expenses and other court costs arising out of, or in any way relating to, the execution or performance of the Financing Documents or other documents in connection therewith or any other cause whatsoever pertaining to the Project or the Bonds, including the issuance and sale of the Bonds or failure to issue or sell the Bonds or other actions taken under the Financing Documents or other documents in connection therewith or any other cause whatsoever pertaining to the Project or the Bonds, all as further described in the Financing Agreement, except in any case as a result of the intentional misrepresentation or willful misconduct of the Issuer or failure to provide timely payment of TIF Revenues to the payment of the Bonds.

SECTION 9. No Debt or Tax Pledge. Pursuant to Indiana Code 36-7-12-25(b), the Bonds shall not constitute a general obligation debt or pledge of the faith and credit of the Issuer, the State or any political subdivision thereof, and the holders, or owners thereof shall have no right to have taxes levied by the Issuer, the State or of any political subdivision, for the payment of the principal thereof or interest thereon. Moneys raised by taxation shall not be obligated or pledged for the payment of principal or of interest on the Bonds, and the Bonds shall be payable solely from the TIF Revenues pledged for their payment and other sources as authorized by the Trust Indenture and other Financing Documents. The Bonds shall not be taken into account in determining whether obligations issued by or on behalf of the Issuer and subordinate entities thereof during the calendar year 2007 may be designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code.

SECTION 10. Ordinance a Contract. The provisions of this Bond Ordinance and the Financing Documents securing the Bonds shall constitute a contract binding between the Issuer and the holders of the Bonds, and after the issuance of the Bonds, this Bond Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as the Bonds or the interest thereon remains unpaid.

SECTION 11. Pledge of TIF Revenues. The Council does hereby acknowledge and approve (a) the issuance of bonds by the Bond Bank to fund the purchase of the Bonds; (b) the execution and delivery of the Project Agreement by the Bond Bank; and (c) the pledge of the TIF Revenues to the payment of the Bonds pursuant to the Trust Indenture and the MDC Resolution. Pursuant to Indiana Code 5-1-14-4, the pledge of the TIF Revenues pursuant to the Trust Indenture and MDC Resolution is intended to be binding from the time the pledge is made, with such TIF Revenues so pledged and thereafter received by the Issuer to be immediately subject to the lien of the pledge without any further act, and the lien of such pledge to be binding against all parties having claims of any kind, in tort, contract, or otherwise against the Issuer, regardless of whether the parties have notice of any such lien.

SECTION 12. Conformance with Economic Development Plan. The Council hereby finds that (a) the Project and the related financing assistance for the Project provided in the Project Agreement are consistent with the economic development plan for the Economic Development Area; (b) the Developer would not develop the Project on the subject real estate, and the subject real estate could not be developed pursuant to the economic development plan, without the financing assistance provided in the Project Agreement; (c) the Project furthers the economic development and redevelopment of the Economic Development Area; and (d) the Project will be of benefit to the health, prosperity, economic stability and general welfare of the Issuer and its citizens.

SECTION 13. Severability. If any section, paragraph or provision of this Bond Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Bond Ordinance.

SECTION 14. Repeal of Conflicting Ordinances, Resolutions and Orders. All ordinances, resolutions and orders, or parts thereof, in conflict with the provisions of this Bond Ordinance are, to the extent of such conflict, hereby repealed.

SECTION 15. Public Inspection. Two copies of each of the Financing Documents are on file in the office of the Clerk for public inspection pursuant to Indiana Code 36-1-5-4.

SECTION 16. Compliance with Open Door Law. It is hereby determined that all formal actions of the Council relating to the adoption of this Bond Ordinance were taken in one or more open meetings of the Council, that all deliberations of the Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and

conducted in compliance with applicable legal requirements, including Indiana Code 5-14-1.5 et seq., as amended.

SECTION 17. Additional Actions. The Mayor, the Controller and the Clerk are authorized to take all such further actions or to execute, attest and deliver such further instruments and documents in the name of the Issuer as in their judgment shall be necessary or advisable in order fully to consummate the transaction and carry out the purposes of this Bond Ordinance.

SECTION 18. Effective Date. This Bond Ordinance shall be in full force and effect upon compliance with Indiana Code 36-3-4 et seq.

PROPOSAL NO. 576, 2007, PROPOSAL NO. 577, 2007, PROPOSAL NO. 578, 2007, PROPOSAL NO. 579, 2007, PROPOSAL NOS. 580-582, 2007 AND PROPOSAL NOS. 583-591, 2007. Introduced by Councillor Mahern. Proposal No. 576, 2007, Proposal No. 577, 2007, Proposal No. 578, 2007, Proposal No. 579, 2007, Proposal Nos. 580-582, 2007 and Proposal Nos. 583-591, 2007 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on December 5, 6 and 7, 2007. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 133-148, 2007, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 133, 2007.

2007-ZON-083

6159, 6161, 6165, 6171 AND 6175 WINTHROP AVENUE

INDIANAPOLIS, WASHINGTON TOWNSHIP

COUNCILMANIC DISTRICT # 3

PTP ENTERPRISES, LLC, by David Gilman, requests REZONING of 1.504 acres, from the D-5 District, to the D-P classification to provide for 23 condominium units, with a density of 15.29 units per acre.

REZONING ORDINANCE NO. 134, 2007.

2007-ZON-043

1919 AND 1953 SOUTH POST ROAD (*Approximate Address*)

INDIANAPOLIS, WARREN TOWNSHIP

COUNCILMANIC DISTRICT # 21

CANDACE MARENDT requests REZONING of 4.45 acres, from the D-A District, to the C-1 classification to provide for office commercial uses.

REZONING ORDINANCE NO. 135, 2007.

2005-ZON-071

1405 SOUTH POST ROAD (*Approximate Address*),

INDIANAPOLIS, WARREN TOWNSHIP,

COUNCILMANIC DISTRICT # 21.

SPORTS PAGE ACADEMY, by Thomas Michael Quinn, requests a REZONING of 31.932 acres, being in the I-3-S (FF) District, to the SU-16 (FF) classification to provide for a sports complex.

REZONING ORDINANCE NO. 136, 2007.

2007-ZON-849

2301 MADISON AVENUE AND 218, 220 AND 224 EAST PLEASANT RUN

PARKWAY (*Approximate Address*)

INDIANAPOLIS, CENTER TOWNSHIP

COUNCILMANIC DISTRICT # 19

JACKSON OIL, by Thomas Michael Quinn, requests REZONING of 0.792 acre, from the D-5 and C-3 Districts, to the C-3 classification to provide for neighborhood commercial uses, including a gas station and convenience store.

REZONING ORDINANCE NO. 137, 2007.

2006-ZON-132

240 WEST EDGEWOOD AVENUE (*Approximate Address*)

INDIANAPOLIS, PERRY TOWNSHIP

COUNCILMANIC DISTRICT # 23

LAURA W. FLOWERS requests REZONING of 1.641 acres, from the D-A District, to the D-3 classification to provide for residential uses.

REZONING ORDINANCE NO. 138, 2007.

2007-ZON-094

433, 437 AND 451 NORTH STATE AVENUE (*Approximate Address*)

INDIANAPOLIS, CENTER TOWNSHIP

COUNCILMANIC DISTRICT # 16

WESTMINSTER NEIGHBORHOOD MINISTRIES requests REZONING of 0.226 acre, from the D-8 District, to the SU-1 classification to provide for religious uses.

REZONING ORDINANCE NO. 139, 2007.

2007-ZON-119

543, 545 AND 551 INDIANA AVENUE (*Approximate Address*)

INDIANAPOLIS, CENTER TOWNSHIP

COUNCILMANIC DISTRICT # 15

543 INDIANA AVENUE ASSOCIATES, LLC, by Walter E. Wolf and Andi M. Metzel requests REZONING of 0.367 acre, from the I-3-U (RC) and CBD-2 (RC) Districts, to the CBD-2 (RC) classification to provide for the central business district two uses

REZONING ORDINANCE NO. 140, 2007.

2007-ZON-065

237 NORTH EAST STREET

INDIANAPOLIS, CENTER TOWNSHIP

COUNCILMANIC DISTRICT # 15

LOCKERBIE CENTRAL UNITED METHODIST CHURCH requests REZONING of less than one acre, from the I-3-U District, to the SU-1 classification to legally establish a religious use.

REZONING ORDINANCE NO. 141, 2007.

2007-ZON-079

838 DR. MARTIN LUTHER KING JR. STREET

INDIANAPOLIS, CENTER TOWNSHIP

COUNCILMANIC DISTRICT # 15

PATRICK L. KAVANAUGH requests REZONING of less than one acre, from the I-3-U District, to the D-8 classification.

REZONING ORDINANCE NO. 142, 2007.

2007-ZON-085

2928 AND 2930 SOUTH EAST STREET (*Approximate Address*)

INDIANAPOLIS, CENTER TOWNSHIP

COUNCILMANIC DISTRICT # 19

EMMALEAN M. BAUMAN, by Mary E. Solada, requests REZONING of 0.32 acre, from the D-8 District, to the C-5 classification to provide for general commercial district.

REZONING ORDINANCE NO. 143, 2007.

2007-ZON-087

3010 AND 3014 NORTH COLLEGE AVENUE (*Approximate Address*)

INDIANAPOLIS, CENTER TOWNSHIP

COUNCILMANIC DISTRICT # 9

Claude C. Newsom, DDS, requests REZONING of 0.1504 acre, from the D-5 District, to the C-3 classification to provide for neighborhood commercial uses.

REZONING ORDINANCE NO. 144, 2007.

2007-ZON-101

2727 NATIONAL AVENUE (*Approximate Address*)

INDIANAPOLIS, PERRY TOWNSHIP

COUNCILMANIC DISTRICT # 20

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UNIVERSITY OF INDIANAPOLIS, by Eugene Valanzano requests REZONING of 3.696 acres, from the C-S District, to the C-S classification to provide for indoor recreational sports uses.

REZONING ORDINANCE NO. 145, 2007.

2007-ZON-102

1354 SOUTH BLAINE AVENUE (*Approximate Address*)

INDIANAPOLIS, CENTER TOWNSHIP

COUNCILMANIC DISTRICT # 19

WEST INDIANAPOLIS DEVELOPMENT CORPORATION, by David Kingen, requests REZONING of 0.12 acre, from the C-3 District, to the D-5 classification to provide for residential uses.

REZONING ORDINANCE NO. 146, 2007.

2007-ZON-104

7005 HOOVER ROAD (*Approximate Address*)

INDIANAPOLIS, WASHINGTON TOWNSHIP

COUNCILMANIC DISTRICT # 2

JEWISH FEDERATION OF GREATER INDIANAPOLIS, INC., by Andi M. Metzel, requests REZONING of 0.55 acre, from the D-1 District, to the SU-38 classification to provide for a teen resource house associated with a nearby community center.

REZONING ORDINANCE NO. 147, 2007.

2007-ZON-109

5354 ELMWOOD AVENUE (*Approximate Address*)

CITY OF BEECH GROVE, FRANKLIN TOWNSHIP

COUNCILMANIC DISTRICT # 25

ARLINE W. NICKELL, by Eugene Valanzano, requests REZONING of 1.16 acres, from the D-3 District, to the I-2-S classification to provide for light industrial uses.

REZONING ORDINANCE NO. 148, 2007.

2007-ZON-851

5202, 5206 AND 5216 SOUTH HARDING STREET (*Approximate Address*)

INDIANAPOLIS, PERRY TOWNSHIP

COUNCILMANIC DISTRICT # 22

Value Place, by Thomas Michael Quinn, requests REZONING of 5.33 acres, from the C-S District, to the C-S classification to provide for an extended stay hotel, office use and all C-3 uses.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 522, 2007. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 522, 2007 on December 11, 2007. The proposal, sponsored by Councillors Nytes and Sanders, transfers and appropriates \$1,138,000 in the 2007 Budget of the Information Services Agency (Information Services Internal Services Fund) to purchase FileNet software upgrades for the Department of Metropolitan Development, for other expenses related to the DMD and DPW move to new offices on Madison, and for computer hardware to be used throughout the enterprise. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 9:21 p.m. There being no one present to testify, Councillor Sanders moved, seconded by Councillor Nytes, for adoption. Proposal No. 522, 2007 was adopted on the following roll call vote; viz:

22 YEAS: Borst, Boyd, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Pryor, Randolph, Sanders, Schneider, Speedy

0 NAYS:

3 NOT VOTING: Bateman, Mahern, Plowman

4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 522, 2007 was retitled FISCAL ORDINANCE NO. 118, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 118, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) transferring and appropriating One Million One Hundred Thirty Eight Thousand Dollars (\$1,138,000) in the Information Services Internal Services Fund for purposes of the Information Services Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.04 (o) of Fiscal Ordinance 89, 2006 the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Information Services Agency, to purchase FileNet software upgrades for the Department of Metropolitan Development, for expenses related to the DMD and DPW move to new offices on Madison Avenue, and for computer hardware to be used throughout the enterprise, financed by a transfer between characters, revenues from charge backs and from the ISA fund balance.

SECTION 2. The sum of One Million One Hundred Thirty Eight Thousand Dollars (\$1,138,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>INFORMATION SERVICES AGENCY</u>	<u>INFORMATION SERVICES INTERNAL SERVICES FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	1,138,000
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	1,138,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>INFORMATION SERVICES AGENCY</u>	<u>INFORMATION SERVICES INTERNAL SERVICES FUND</u>
1. Personal Services	253,000
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	<u>0</u>
TOTAL DECREASE	253,000

	<u>INFORMATION SERVICES INTERNAL SERVICES FUND</u>
Unappropriated and Unencumbered	
Information Services Internal Services Fund	<u>885,000</u>
TOTAL REDUCTION	885,000

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

After deducting the appropriation included in this proposal, the 2007 ending fund balance for the ISA Internal Service Fund is estimated to be \$3.0 million, and will be an estimated \$5.88 million at the end of 2008.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 525, 2007. Councillor Sanders reported that the Administration and Finance Committee heard proposal No. 525, 2007 on December 11, 2007. The proposal, sponsored by Councillor Sanders, appropriates \$3,093,901 in the 2007 Budgets of the Revenue Serviced Debt Funds of the City of Indianapolis, the Office of Finance and Management and the County Auditor

to pay interest expense for revenue bonds, County Option Income Tax anticipation loans and tax anticipation warrants (The tax anticipation borrowings are additional expenses expected to be realized due to the delay in tax collections resulting from the state ordered property tax reassessment. Sanitation Revenue Bonds fund interest was erroneously omitted from the 2007 Budget.). By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Sanders moved, seconded by Councillor Mansfield, to properly suspend the Council Rules on this proposal, as was not done at the December 3rd meeting. President Gray stated that 18 votes are needed to suspend the Rules. The Rules were suspended on the following roll call vote; viz:

22 YEAS: Borst, Boyd, Cain, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Pryor, Randolph, Sanders, Schneider, Speedy
1 NAY: Cockrum
2 NOT VOTING: Bateman, Plowman
4 ABSENT: Brown, Carson, Franklin, Vaughn

Councillor Speedy asked if the Code says two-thirds vote is needed to suspend the rules, or 18 votes are needed, as two-thirds of the body is actually 19 votes. Councillor Borst said that the Code says two-thirds. Councillor Sanders said that it has always been the practice of this body to count 18 votes as two-thirds.

President Gray called for public testimony at 9:30 p.m.

Jim Smashey, citizen, said that government is always anticipating new taxes, and this travesty has gone on too long.

Larry Vaughn, citizen, stated that it is a criminal act to destroy property in Marion County and this administration is criminal in its actions toward citizens. Councillor Sanders stated that Mr. Vaughn's comments are not germane to Proposal No. 525, 2007.

There being no further testimony, Councillor Sanders moved, seconded by Councillor Mansfield, for adoption. Proposal No. 525, 2007 was adopted on the following roll call vote; viz:

23 YEAS: Bateman, Borst, Boyd, Cain, Cockrum, Conley, Day, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Pryor, Randolph, Sanders, Schneider, Speedy
0 NAYS:
2 NOT VOTING: Gibson, Plowman
4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 525, 2007 was retitled FISCAL ORDINANCE NO. 119, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 119, 2007

A FISCAL ORDINANCE amending the Revenue Serviced Debt Funds of the City of Indianapolis, Indiana Annual Budget for 2007 (City-County Fiscal Ordinance No. 87, 2006) and the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Three Million Ninety Three Thousand Nine Hundred One (\$3,093,901) in for the purposes of the Revenue Serviced Debt Funds of the City of Indianapolis, the Office of Finance and Management and the Marion County Auditor.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(b) and 1(c) of the Revenue Serviced Debt Funds Annual Budget for 2007 and section 1.01 (f) and 1.03(b) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Revenue Serviced Debts Funds of the City of Indianapolis, the Office of Finance and Management and the County Auditor, to pay interest expense for revenue bonds, County Option Income Tax Anticipation Loans and Tax Anticipation Warrants, financed by fund balances. The Tax Anticipation borrowings are additional expenses expected to be realized due to the delay in tax collections resulting from the state ordered property tax reassessment. Sanitation Revenue Bonds fund interest was erroneously omitted from the 2007 Budget.

SECTION 2. The sum of Three Million Ninety Three Thousand Nine Hundred One (\$3,093,901) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>CONSOLIDATED CITY OF INDIANAPOLIS</u>	<u>REVENUE BONDS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	125,100
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	125,100

<u>CONSOLIDATED CITY OF INDIANAPOLIS</u>	<u>SANITATION REVENUE BONDS FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	1,712,954
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	1,712,954

<u>OFFICE OF FINANCE AND MANAGEMENT</u>	<u>IMPD FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	437,357
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	437,357

<u>OFFICE OF FINANCE AND MANAGEMENT</u>	<u>FIRE GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	188,096
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	188,096

<u>OFFICE OF FINANCE AND MANAGEMENT</u>	<u>FIRE PENSION FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	372,133
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	372,133

<u>OFFICE OF FINANCE AND MANAGEMENT</u>	<u>PARKS GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	10,000
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	10,000

OFFICE OF FINANCE AND MANAGEMENT

1. Personal Services
2. Supplies
3. Other Services and Charges
4. Capital Outlay
5. Internal Charges
- TOTAL INCREASE

CONSOLIDATED COUNTY GENERAL FUND

0
0
81,066
0
0
81,066

OFFICE OF FINANCE AND MANAGEMENT

1. Personal Services
2. Supplies
3. Other Services and Charges
4. Capital Outlay
5. Internal Charges
- TOTAL INCREASE

SOLID WASTE COLLECTION GENERAL FUND

0
0
38,667
0
0
38,667

OFFICE OF FINANCE AND MANAGEMENT

1. Personal Services
2. Supplies
3. Other Services and Charges
4. Capital Outlay
5. Internal Charges
- TOTAL INCREASE

METROPOLITAN THOROUGHFARE
DISTRICT SINKING FUND

0
0
14,813
0
0
14,813

OFFICE OF FINANCE AND MANAGEMENT

1. Personal Services
2. Supplies
3. Other Services and Charges
4. Capital Outlay
5. Internal Charges
- TOTAL INCREASE

PARK DEBT SERVICE FUND

0
0
7,741
0
0
7,741

OFFICE OF FINANCE AND MANAGEMENT

1. Personal Services
2. Supplies
3. Other Services and Charges
4. Capital Outlay
5. Internal Charges
- TOTAL INCREASE

REDEVELOPMENT DEBT SERVICE FUND

0
0
67,825
0
0
67,825

OFFICE OF FINANCE AND MANAGEMENT

1. Personal Services
2. Supplies
3. Other Services and Charges
4. Capital Outlay
5. Internal Charges
- TOTAL INCREASE

MECA DEBT SERVICE FUND

0
0
1,553
0
0
1,553

OFFICE OF FINANCE AND MANAGEMENT

1. Personal Services
2. Supplies
3. Other Services and Charges
4. Capital Outlay
5. Internal Charges
- TOTAL INCREASE

CITY CUMULATIVE
CAPITAL DEVELOPMENT FUND

0
0
4,798
0
0
4,798

COUNTY AUDITOR

1. Personal Services
2. Supplies
3. Other Services and Charges
4. Capital Outlay
5. Internal Charges
- TOTAL INCREASE

COUNTY GENERAL FUND

0
0
31,798
0
0
31,798

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>REVENUE BONDS FUND</u>
Unappropriated and Unencumbered Revenue Bonds Fund	<u>125,100</u>
TOTAL DECREASE	125,000
	<u>SANITATION REVENUE BONDS FUND</u>
Unappropriated and Unencumbered Sanitation Revenue Bonds Fund	<u>1,712,954</u>
TOTAL DECREASE	1,712,954
	<u>IMPD FUND</u>
Unappropriated and Unencumbered IMPD Fund	<u>437,357</u>
TOTAL DECREASE	437,357
	<u>FIRE GENERAL FUND</u>
Unappropriated and Unencumbered Fire General Fund	<u>188,096</u>
TOTAL DECREASE	188,096
	<u>FIRE PENSION FUND</u>
Unappropriated and Unencumbered Fire Pension Fund	<u>372,133</u>
TOTAL DECREASE	372,133
	<u>PARK GENERAL FUND</u>
Unappropriated and Unencumbered Parks General Fund	<u>10,000</u>
TOTAL DECREASE	10,000
	<u>CONSOLIDATED COUNTY GENERAL FUND</u>
Unappropriated and Unencumbered Consolidated County General Fund	<u>81,066</u>
TOTAL DECREASE	81,066
	<u>SOLID WASTE COLLECTION GENERAL FUND</u>
Unappropriated and Unencumbered Solid Waste Collection General Fund	<u>38,667</u>
TOTAL DECREASE	38,667
	<u>METROPOLITAN THOROUGHFARE DISTRICT SINKING FUND</u>
Unappropriated and Unencumbered Metropolitan Thoroughfare District Sinking Fund	<u>14,813</u>
TOTAL DECREASE	14,813
	<u>PARK DEBT SERVICE FUND</u>
Unappropriated and Unencumbered Park Debt Service Fund	<u>7,741</u>
TOTAL DECREASE	7,741
	<u>REDEVELOPMENT DEBT SERVICE FUND</u>
Unappropriated and Unencumbered Redevelopment Debt Service Fund	<u>67,825</u>
TOTAL DECREASE	67,825
	<u>MECA DEBT SERVICE FUND</u>
Unappropriated and Unencumbered MECA Debt Service Fund	<u>1,553</u>
TOTAL DECREASE	1,553

CITY CUMULATIVE CAPITAL DEVELOPMENT FUND

Unappropriated and Unencumbered	
City Cumulative Capital Development Fund	<u>4,798</u>
TOTAL DECREASE	4,798

COUNTY GENERAL FUND

Unappropriated and Unencumbered	
County General Fund	<u>31,798</u>
TOTAL DECREASE	31,798

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 529, 2007. Councillor Mansfield reported that the Community Affairs Committee heard Proposal No. 529, 2007 on December 13, 2007. The proposal, sponsored by Councillors Sanders, Mansfield and Cain, appropriates \$1,445,545 in the 2007 Budget of the Marion County Children's Guardian Home (State and Federal Grants Fund) to cover 2008 salary and benefit costs for staff, financed by funds to be provided by the Indiana Department of Child Services. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 9:33 p.m.

Mr. Vaughn stated that the danger in these federally-funded programs is that when the federal funds run out, this places an extra burden on local taxpayers.

There being no further testimony, Councillor Mansfield moved, seconded by Councillor Oliver, for adoption. Proposal No. 529, 2007 was adopted on the following roll call vote; viz:

23 YEAS: Bateman, Boyd, Cain, Cockrum, Conley, Day, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy
0 NAYS:
2 NOT VOTING: Borst, Gibson
4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 529, 2007 was retitled FISCAL ORDINANCE NO. 120, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 120, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating One Million Four Hundred Forty Five Thousand Five Hundred Forty-five Dollars (\$1,445,545) in the State and Federal Grants Fund for purposes of the Marion County Children's Guardian Home.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.04(n) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Children's Guardian Home to cover 2008 salary and benefit costs for staff, financed by funds to be provided by the Indiana Department of Child Services.

SECTION 2. The sum of One Million Four Hundred Forty Five Thousand Five Hundred Forty-five Dollars (\$1,445,545) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION COUNTY CHILDREN'S GUARDIAN HOME</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	1,445,545
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	1,445,545

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	1,445,545
TOTAL REDUCTION	1,445,545

SECTION 5. The number of 2008 full time equivalent (FTE) positions for the Children's Guardian Home is unchanged from the number approved for 2008 in fiscal ordinance 78, 2007. That number is 57.00 full time and 1.25 part time FTE positions.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 532 and 533, 2007 on December 5, 2007. She asked for consent to hear these proposals together. Councillor Sanders moved, seconded by Councillor Moriarty Adams, to properly suspend the Rules on Proposal Nos. 532, 538 and 539, 2007. Councillor Schneider asked that each proposal be voted on separately, both to suspend the Rules and for final adoption of the proposals.

PROPOSAL NO. 532, 2007. The proposal, sponsored by Councillors Moriarty Adams and Pryor, transfers and appropriates \$7,100,000 in the 2007 Budget of the Indianapolis Metropolitan Police Department (IMPD Fund) to pay for salaries, equipment and supplies related to the 2007 recruit classes, the new police contract, legal and officer manning studies, building and helicopter maintenance, radio upgrades and vehicle radio modems. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Sanders moved, seconded by Councillor Moriarty Adams, to suspend the Rules on Proposal No. 532, 2007. The Rules were suspended by a unanimous voice vote.

Councillor McWhirter stated that some Indianapolis Metropolitan Police Department (IMPD) officers were shorted 40 hours of pay in June, and she moved, seconded by Councillor Schneider, to amend Proposal No. 532, 2007 to add funds into Character 01 to pay contractual obligations to police officers, and subtracting the same amount from Character 03, so that the total remains the same.

Councillor Nytes said that she does not serve on this committee, but seems to recall that the department will catch up on this payment this year, and officers will receive two weeks of payroll in January to make up that amount.

Councillor Moriarty Adams asked City Controller, Robert Clifford, to respond to this amendment, as this is a contract issue with a collective bargaining unit, and the Council does not manage salaries on this level.

Mr. Clifford said that officers have not been shorted 40 hours of pay, and former Marion County Sheriff's deputies are current with a bi-weekly pay. He said that they will receive their 52nd week of pay on January 3, 2008, like all other bi-weekly employees. He added that this January 3rd pay will actually be at the new higher salary. He said that this issue is due to a re-calculation by the Auditor's Office of 27 pays, and the City does not have money to pay officers for 40 hours that they have not worked. He said that they will be paid their full salaries, and this is a pension plan issue that the administration continues to ask that it be fixed. He asked Councillors to oppose the amendment.

Councillor Speedy asked if a representative from the Fraternal Order of Police (FOP) can respond to this issue. He said that they were not afforded the opportunity to ask questions about this matter in committee. He added that this proposal includes \$406,000 in copy charges alone, and he cannot understand how copy charges could be that under-budgeted and he cannot support the proposal without this amendment.

Councillor Moriarty Adams stated that the FOP was allowed to speak at the committee meeting and spoke with respect to the recruit class numbers. Councillor Speedy said that the FOP representative had more questions, like many of the committee members, and were not allowed the time to ask them.

Bill Owensby, FOP president, stated that Mr. Clifford testified in Committee that if this proposal did not pass, the police department would shut down. He said that they only were asked information about the recruit class. While the administration believes this to be a contract dispute, they have met with a table team for over six months, and still nothing is resolved. He said that the contract will be violated if the deputies do not receive their full pay by the end of the year. He said that former deputy pensions are affected and he is asking that some of these more trivial expenditures, which will not shut down the department, be pushed to the side in order to rectify this salary issue and pay deputies what is in their contract.

Councillor Sanders said that wages are a mandatory issue of the bargaining process, and this should be discussed between the table team and administration and should not be determined by the Council body. She said that the FOP should use the grievance process to settle this issue.

Councillor Borst said that he is not really sure what is right or wrong in this instance. He asked if the Controller's Office could possibly make two pays for these deputies, one on December 28, 2007, and the second on January 3, 2008. It seems this would solve the problem, and would actually save the City money, as the Controller would only have to pay one week at the new higher rate. He said that he has been told by three former Sheriff's deputies that they have been shorted 40 hours of pay.

Mr. Clifford said that there is a problem in processing two payrolls in that time frame with changing rates. He added that no officers will actually be shorted, and they offered the FOP a compromise with a pay on Friday afternoon of December 31, and it was rejected.

Councillor McWhirter said if the contract calls for a \$50,000 annual salary, but the final two weeks of pay is not received until January 3, 2008, then officers are not actually making \$50,000. Councillor Clifford said that the annual salary is divided up so that it is an hourly rate for hours worked.

Councillor Speedy asked to hear from Rick Schneider, FOP Pension Board member. Mr. Schneider said that the Sheriff's deputies received a payraise when the consolidation occurred to

provide parity between Indianapolis Police Department officers and deputies. He said that it was testified that no member would suffer a loss of benefit due to the consolidation. However, in June, 2007, the pay cycle was changed, which will result in a loss of pay for former deputies. The FOP has been in ongoing negotiations with the administration for six months to no avail. The negotiations were done in good faith, but the Controller refuses to fund the agreed-upon salaries and is attempting with this proposal to divert these funds to other costs. This pay issue will cause permanent, irreparable harm and will result in a loss of benefits over time. He said that the pay has to occur in 2007. He said that to rectify this issue, \$443,000 is needed, which was agreed upon in contracts, and is less than six percent of the funds being requested this evening. He said that rectifying this salary issue should be a higher priority than copying charges and other items included in this proposal. He said that the City is budgeting \$180,000 to pay their attorneys for negotiating a contract that they are failing to honor. He asked that public safety be put before politics.

Councillor Mansfield stated that this seems to be a timing issue and said that the Pension Board should simply make a technical change for this year. She said that it is not a matter of not getting paid, but simply a timing issue, and the deputies will actually be benefitting from getting paid at the higher rate.

Mr. Schneider said that the board is not sure this change can be made, and it is not that simple. He said that an attorney has advised them that they may not be able to make such a change, and if they cannot, then the contract, and promises have been broken.

Councillor Nytes said that she has heard nothing that has helped her to understand why a January 3rd payroll would not bring the salaries whole and rectify the situation. She said that paying on December 28, 2007 is not the kind of discussion this body should be having, and it seems that not only are the deputies not being shorted a week's pay, but they are actually benefitting from a week's pay at a higher rate.

Councillor Mahern said that he has not received enough information on this issue and cannot vote to give this kind of money when information is lacking.

Councillor Cockrum said that while he agrees with Councillor Sanders that this is a contract negotiation issue, this is the last meeting of the year, and the Controller is testifying that the money is not there for an additional pay. He said that appropriating the money into Character 01 seems to resolve that issue. Councillor Schneider agreed.

Councillor Borst asked if the pay cycle had not been changed by the Auditor's Office, when would be the normal final pay. Mr. Clifford said that the normal final pay would have been December 28, 2007, with another pay not coming until January 10, 2008. He said that a special payroll was made to catch officers up and they are not being shorted. Councillor Borst asked if it would be that difficult to do a December 28, 2007 pay in order to resolve the issue. Mr. Clifford said that these officers want to be paid 52 weeks in 2007 and 2008 and then accept 27 pays in 2009. He said that even if this amendment passes, it is still an administrative issue. He said that their pensions are whole and they have all received their pay, and it is not the administration's fault the process changed. Adding an extra payroll would be a lot of work for 400 people.

Councillor Cain said that it is rude to say that this is a lot of extra work for 400 people who put their lives on the line for the citizens every day.

Councillor Oliver said that he is concerned that the Council would be setting a precedent with unions that they can bypass the negotiation process and come straight to the Council for what they want.

Councillor Sanders asked what the actual amount being reduced is. Councillor McWhirter said that Character 03 would be reduced by \$443,000, to approve a total of \$874,000 in that character, with the \$443,000 then added to Character 01, for a total appropriation in that character of \$5,943,000.

The motion to amend failed on the following roll call vote; viz:

14 YEAS: Borst, Cain, Cockrum, Day, Keller, Langsford, Lutz, Mahern, McWhirter, Pfisterer, Plowman, Randolph, Schneider, Speedy

11 NAYS: Bateman, Boyd, Conley, Gibson, Gray, Mansfield, Moriarty Adams, Nytes, Oliver, Pryor, Sanders

0 NOT VOTING:

4 ABSENT: Brown, Carson, Franklin, Vaughn

Councillor Borst stated that on an amendment, only a majority of those members present is needed to pass. General Counsel Aaron Haith stated that this is not correct, and a majority of the Council body membership is needed. Councillor Borst appealed the parliamentarian's ruling and asked counsel to read the portion of code that explains his ruling. Mr. Haith referred to Sec. 151 (a) which says that all ordinances and resolutions must receive an affirmative vote from the majority of all members of the Council for adoption. Councillor Borst said that this is referring to the final adoption of the ordinances and does not necessarily refer to motions for amendment or other non-adoption motions. Mr. Haith said that such a rule does not exist for what Councillor Borst is trying to do. Councillor Borst said that he is trying to help 392 police officers get the pay that was promised them. Mr. Haith said that the amendment has been ruled as failing. Councillor Schneider said that the motion to appeal the parliamentarian's or chair's ruling requires a vote. Mr. Haith said that there is nothing to appeal, as he just read the Rules that apply, which are explicit. Councillor Schneider said that according to Mr. Haith's interpretation, those Rules may be explicit, but he also believes this Rule applies to final adoption and a simple majority of members present is needed for amendments. President Gray stated that his ruling stands, and the amendment has failed.

President Gray called for public testimony at 10:21 p.m.

Ernie Scherer, citizen, said that a world class city is not built on the backs of its police officers. He said that these deputies are being victimized, and if Council pay was messed with, every member here would squeal foul play. He said that negotiations with police is appalling, and it is a shame that these officers are doing all they can for the city, but are treated as second-class citizens.

Mr. Vaughn said that these are human issues, and the Council is messing with the retirement for these public safety officials.

Mr. Owensby asked two officers to stand. He said that both officers worked 2,080 hours this year, but only one will get paid for 2,080 hours, and the other will get paid for 2,040.

Councillor Borst said that while there is no rule governing amendments in the Council Rules in the Code, this rule is found in Roberts' Rules of Order, which Mr. Haith said himself in October is the prevailing resource when it is not specific in the Council Rules. Mr. Haith said that Sec.

151-58 is clear, and it is specific in the Council Rules and therefore, Roberts' Rules of Order does not need to be consulted.

Councillor Gibson asked that the Clerk be directed to change his vote on the amendment to a "yea" vote. Mr. Haith said that they have already passed the amendment, and cannot change votes at this point. Councillor Schneider said that the prevailing side, which in this case would be those that cast a vote for the motion to fail, can ask for a new vote. Councillor Bateman said that he also wants to change his vote, as he cannot in good conscience deny police officers their due. Councillor Gibson moved, seconded by Councillor Bateman, to reconsider the motion to amend Proposal No. 532, 2007. The motion to reconsider the amendment carried by a voice vote. The motion to amend Proposal No. 532, 2007 as per Councillor McWhirter's original motion carried on the following roll call vote; viz:

18 YEAS: Bateman, Borst, Cain, Cockrum, Day, Gibson, Keller, Langsford, Lutz, Mahern, McWhirter, Nytes, Pfisterer, Plowman, Pryor, Randolph, Schneider, Speedy
6 NAYS: Conley, Gray, Mansfield, Moriarty Adams, Oliver, Sanders
1 NOT VOTING: Boyd
4 ABSENT: Brown, Carson, Franklin, Vaughn

Councillors Sanders and Speedy asked for consent to explain their votes. Consent was given. Councillor Sanders stated that this is a mandatory issue of bargaining, and it still needs to be negotiated. Councillor Speedy said that this is a matter of public policy and shows support for police officers and the work they do.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor Borst, for adoption as amended. Proposal No. 532, 2007, as amended, was adopted on the following roll call vote; viz:

24 YEAS: Bateman, Borst, Boyd, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy
1 NAY: Oliver
4 ABSENT: Brown, Carson, Franklin, Vaughn

Councillor Oliver asked for consent to explain his vote. Consent was given. Councillor Oliver said that he disagrees with the method to rectify a dispute at the negotiation table and the City is setting a precedent to bypass those negotiations.

Proposal No. 532, 2007, as amended, was retitled FISCAL ORDINANCE NO. 121, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 121, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Police Special Service District Ordinance No. 1, 2006) by appropriating Seven Million One Hundred Thousand Dollars (\$7,100,000) in the Indianapolis Metropolitan Police Department Fund for purposes of the Indianapolis Metropolitan Police Department.

**BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:**

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1 of the City-County Police Special Service District Annual Budget for 2007 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Indianapolis Metropolitan Police Department, to pay for salaries, equipment and supplies related to the 2007 recruit classes, the new Police contract, legal and officer manning studies, building and helicopter maintenance,

radio upgrades and vehicle radio modems, financed by fund balance and a transfer from the County General Fund.

SECTION 2. The sum of Seven Million One Hundred Thousand Dollars (\$7,100,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>INDIANAPOLIS METROPOLITAN POLICE DEPARTMENT</u>	<u>IMPD FUND</u>
1. Personal Services	5,943,000
2. Supplies	156,000
3. Other Services and Charges	874,000
4. Capital Outlay	127,000
5. Internal Charges	<u>0</u>
TOTAL INCREASE	7,100,000

SECTION 4. The said additional appropriation is funded by the following reduction:

<u>MARION COUNTY SHERIFF'S DEPARTMENT</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	500,000
2. Supplies	0
3. Other Services and Charges	2,000,000
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL DECREASE	2,500,000

	<u>IMPD FUND</u>
Unappropriated and Unencumbered	
IMPD Fund	<u>7,100,000</u>
TOTAL DECREASE	7,100,000

As part of this ordinance, \$2,500,000 (cash) will be transferred from the County General Fund to the IMPD Fund.

SECTION 5. After deducting the appropriation included in this and other pending proposals, the 2007 ending fund balance for the IMPD General Fund is estimated to be \$182,931. After deducting the appropriation included in this and other pending proposals, the 2007 ending fund balance for the County General Fund is estimated to be \$ 6.4 million

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 533, 2007. The proposal, sponsored by Councillors Moriarty Adams and McWhirter, appropriates \$915,749 in the 2007 Budget of the Indianapolis Metropolitan Police Department (Federal Grants, Non-Lapsing Federal Grants and State Law Enforcement Funds) to purchase investigative equipment for the Buffer Zone Protection Plan, purchase bullet proof vests for officers and new recruits, fund salaries, benefits and overtime for the Metro Drug Task Force, fund salary and overtime for four traffic safety initiatives, and fund overtime for the Indy Nite Lite and Arden Sentry programs, funded by grants. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 10:48 p.m.

Mr. Vaughn said that with these federal grants the city is basing their financial future on booze joints, greasy spoons and freak shows. He said that this causes more enslavement and more foreclosures.

Mr. Sherer encouraged Councillors to support Proposal No. 533, 2007.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor Oliver, for adoption. Proposal No. 533, 2007 was adopted on the following roll call vote; viz:

25 YEAS: Bateman, Borst, Boyd, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy

0 NAYS:

4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 533, 2007 was retitled FISCAL ORDINANCE NO. 122, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 122, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Police Special Service District Ordinance No. 1, 2006 and Fiscal Ordinance No. 89, 2006, Section 1.06(b)) appropriating Nine Hundred Fifteen Thousand Seven Hundred Forty Nine Dollars (\$915,749) in the Federal Grants Fund, the Non-Lapsing Federal Grants Fund and the State Law Enforcement Fund for purposes of the Indianapolis Metropolitan Police Department.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the Annual Budget of the Police Special Service District and the City-County Annual Budget for 2007, Sections 1 and 1.06(b) respectively, be, and are hereby, amended by the increases and reductions hereinafter stated for purposes of the Indianapolis Metropolitan Police Department to purchase investigative equipment for the Buffer Zone Protection Plan (\$188,996); to purchase bullet proof vests for officers and new recruits (\$30,332); for salaries, benefits and overtime for the Metro Drug Task Force (\$138,807); for salary and overtime for four traffic safety initiatives (\$482,382); and for overtime for the Indy Nite Lite program (\$5,232) and the Ardent Sentry program (\$70,000), all of which are funded by grants.

SECTION 2. The sum of Nine Hundred Fifteen Thousand Seven Hundred Forty Nine Dollars (\$915,749) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriated balance as shown in sections 4 and 5.

SECTION 3. The following additional appropriations are hereby approved:

<u>INDIANAPOLIS METROPOLITAN POLICE DEPARTMENT</u>	<u>FEDERAL GRANTS FUND</u>
1. Personal Services	10,242
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	10,242

<u>INDIANAPOLIS METROPOLITAN POLICE DEPT.</u>	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
1. Personal Services	554,775
2. Supplies	30,332
3. Other Services and Charges	0
4. Capital Outlay	188,996
5. Internal Charges	0
TOTAL INCREASE	774,103

<u>INDIANAPOLIS METROPOLITAN POLICE DEPARTMENT</u>	<u>STATE LAW ENFORCEMENT FUND</u>
1. Personal Services	131,404
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	131,404

SECTION 4. The said additional appropriation is funded by the following reductions of fund balance:

	<u>FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered Federal Grants Fund	<u>10,242</u>
TOTAL REDUCTION	10,242
	<u>NON-LAPSING FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered Non-Lapsing Federal Grants Fund	<u>774,103</u>
TOTAL REDUCTION	774,103
	<u>STATE LAW ENFORCEMENT FUND</u>
Unappropriated and Unencumbered State Law Enforcement Fund	<u>131,404</u>
TOTAL REDUCTION	131,404

SECTION 5. There is no match requirement for the Buffer Zone Protection Plan, the Metro Drug Task Force, Highway Traffic Safety Funds, Indy Nite Lite or Ardent Sentry programs. The Bullet Proof Vests Program requires a 50% match. There are no new FTEs related to any of the grants

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriations for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 538 and 539, 2007 on December 13, 2007.

PROPOSAL NO. 538, 2007. The proposal, sponsored by Councillors Conley, Moriarty Adams and Mansfield, transfers and appropriates \$187,566 in the 2007 Budget of the Department of Public Works, Fleet Services Division (Consolidated County Fund) to reimburse the DPW Operations Division for the cost of 12 passenger cars purchased in 2007 for the Marion Superior Court, Probation Department (The Consolidated County Fund will be reimbursed for the cost of the cars by lease revenues paid over a three-year period through the operation budget of the Marion Superior Court. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Sanders moved, seconded by Councillor Moriarty Adams, to suspend the Rules on Proposal No. 538, 2007. The Rules were suspended by a unanimous voice vote.

President Gray called for public testimony at 10:49 p.m. There being no one present to testify, Councillor Conley moved, seconded by Councillor Oliver, for adoption. Proposal No. 538, 2007 was adopted on the following roll call vote; viz:

23 YEAS: Bateman, Boyd, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy
0 NAYS:
2 NOT VOTING: Borst, Langsford
4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 538, 2007 was retitled FISCAL ORDINANCE NO. 123, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 123, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) transferring and appropriating One Hundred Eighty Seven Thousand Five Hundred Sixty-Six Dollars (\$187,566) in the Consolidated County Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the DPW Fleet Services division reimbursing the DPW Operations Division for the cost of 12 passenger cars purchased in 2007 for the Marion Superior Court, Probation Department, financed by a transfer of appropriations between funds, within the DPW budget. The Consolidated County Fund will be reimbursed for the cost of the cars by lease revenues paid over a three year period through the operating budget of the Marion Superior Court.

SECTION 2. The sum of One Hundred Eighty Seven Thousand Five Hundred Sixty-Six Dollars (\$187,566) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	187,566
5. Internal Charges	<u>0</u>
TOTAL INCREASE	187,566

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>SOLID WASTE COLLECTION FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	187,566
5. Internal Charges	<u>0</u>
TOTAL INCREASE	187,566

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered	
Consolidated County Fund	<u>187,566</u>
TOTAL REDUCTION	187,566

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

After deducting the appropriation included in this proposal, the 2007 ending fund balance for the Consolidated County Fund is estimated to be \$13.584 million, and will be an estimated \$20.347 million at the end of 2008.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 539, 2007. The proposal, sponsored by Councillors Conley and Moriarty Adams, appropriates \$749,000 in the 2007 Budget of the Department of Public Works, Fleet Services Division (Consolidated County Fund) to purchase motor vehicle fuel used by the city and county fleet, financed by chargeback revenues from the various customer departments and

agencies that obtain fuel from Fleet Services. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Sanders moved, seconded by Councillor Conley, to suspend the Rules on Proposal No. 539, 2007. The Rules were suspended by a unanimous voice vote.

President Gray called for public testimony at 10:52 p.m. There being no one present to testify, Councillor Conley moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 539, 2007 was adopted on the following roll call vote; viz:

24 YEAS: Bateman, Borst, Boyd, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy
0 NAYS:
1 NOT VOTING: Lutz
4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 539, 2007 was retitled FISCAL ORDINANCE NO. 124, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 124, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Seven Hundred Forty-Nine Thousand Dollars (\$749,000) in the Consolidated County Fund for purposes of the Department of Public Works, and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (j) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated to purchase motor vehicle fuel used by the city and county fleet, financed by charge back revenues from the various customer departments and agencies that obtain fuel from Fleet Services.

SECTION 2. The sum of Seven Hundred Forty Nine Thousand Dollars (\$749,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	749,000
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	0
TOTAL INCREASE	749,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>DEPARTMENT OF PUBLIC WORKS</u>	<u>CONSOLIDATED COUNTY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	0
5. Internal Charges	549,000
TOTAL INCREASE	549,000

CONSOLIDATED COUNTY FUND

Unappropriated and Unencumbered	
Consolidated County Fund	<u>200,000</u>
TOTAL REDUCTION	200,000

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

After deducting the appropriation included in this proposal, the 2007 ending fund balance for the Consolidated County Fund is estimated to be \$13.584 million, and will be an estimated \$20.347 million at the end of 2008.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - UNFINISHED BUSINESS

PROPOSAL NO. 545, 2007. The proposal, sponsored by Councillor Mahern, is arezoning ordinance for Pike Township, Councilmanic District 7, 4460 Guion Road (2006-ZON-104/2006-DP-004). Councillor Pryor called the proposal out for a public hearing on December 3, 2007.

Councillor Pryor made the following motion:

Mr. President:

The petitioners and remonstrators continue to negotiate a resolution of the rezoning case on 4460 Guion Road in Pike Township, Councilmanic District 7, and the remonstrators and petitioners have consented to a continuance of the hearing scheduled for this meeting.

I have spoken with General Counsel and discovered that the grant of a continuance would not mean automatic approval. Since the petitioner's, remonstrator's and the Council's roles are established by state statute, the matter would not be affected by the ending of the present council member's terms in office.

I, therefore, move that the public hearing on Proposal No. 545, 2007 (Rezoning Docket No. 2006-ZON-104) be postponed and rescheduled for February 11, 2008.

Councillor Bateman seconded the motion, and Proposal No. 545, 2007 was postponed until February 11, 2008.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 425, 2007. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 452, 2007 on December 11, 2007. The proposal, sponsored by Councillor Gray, urges the Council to consider a reduction in the amount of the property tax levy needed to generate the tax increment replacement amount as determined pursuant to I.C. 6-1.1-21-11(b) in certain tax districts. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Sanders moved, seconded by Councillor Gibson, to strike. Proposal No. 425, 2007 was stricken by a unanimous voice vote.

PROPOSAL NO. 472, 2007. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 47, 2007 on December 4, 2007. The proposal, sponsored by Councillors Moriarty Adams, Keller, Conley and Nytes, amends the Code to require dealers in salvage or scrap metal to be licensed and regulated by the city. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Moriarty Adams asked for the Council's support and thanked the staff for their hard work on this proposal.

Councillor Schneider said that the first ordinance passed regarding this issue is not doing its job and it is hard to figure unintended consequences. He urged Council members to support the proposal because these types of theft have become very costly.

Councillor Boyd moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 472, 2007 was adopted on the following roll call vote; viz:

23 YEAS: Bateman, Borst, Boyd, Cain, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Pryor, Randolph, Sanders, Schneider, Speedy

0 NAYS:

2 NOT VOTING: Cockrum, Plowman

4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 472, 2007 was retitled GENERAL ORDINANCE NO. 84, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 84, 2007

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to require dealers in salvage or scrap metal to be licensed and regulated by the city.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The title of Chapter 951 of the "Revised Code of the Consolidated City and County" hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Chapter 951

**PAWNBROKERS, ~~AND DEALERS IN SECONDHAND GOODS,~~
AND DEALERS IN SALVAGE OR SCRAP METAL**

SECTION 2. Sections 951-203, 951-204, and 951-205 of the "Revised Code of the Consolidated City and County," regarding dealers in secondhand goods, hereby are amended by the deletion of the language that is stricken-through, to read as follows:

Sec. 951-203. Record book to be kept.

(a) Every dealer in secondhand goods under this article who deals in firearms, jewelry, electronic items or equipment, tools, ~~salvage or scrap metal~~, or any item originally marked with a serial number shall keep a record book in which shall be legibly written in ink in the English language at the time of receiving any goods the following: An accurate description of the article received; the amount of money paid for it; the exact time of the transaction; and the name, residence, address, telephone number, age, color, height, weight, complexion, style of beard or mustache, any visible distinguishing marks, style of dress, and number of any license badge of the person delivering the goods to the dealer in secondhand goods.

(b) The record book required to be kept by subsection (a) shall be open to inspection at all reasonable times by the police or the controller.

Sec. 951-204. Card record for police.

(a) In addition to the record book required by this article, all dealers in secondhand goods under this article who deal in firearms, jewelry, electronic items or equipment, tools, ~~salvage or scrap metal~~, or any item originally marked with a serial number shall fill out one (1) of the cards prescribed by subsection (b) for each article of firearm, jewelry, electronic items or equipment, tools, ~~salvage or scrap~~

~~metal~~, or other item originally marked with a serial number received. The dealer in secondhand goods shall fill out the front of each card in its entirety and the description of the customer on the back. The customer shall write in his own handwriting his name and address on the back of the card and place his right thumbprint in the space provided. If the right thumb is missing, any of the customer's fingerprints may be used. The thumbprint shall be made in the manner approved by the local law enforcement agency and shall not be blurred or obliterated.

- (b) The cards required by subsection (a) which are to be filled out shall be in the following form:

REPORT OF SECONDHAND
PROPERTY RECEIVED

Article _____
Serial No. _____
Maker's Name _____
Color, Style, Design _____
Marks and Further Description _____
Purchase Price _____
Dealer's Name _____
Location _____
Date Reported _____, 20____

- (c) The back side of the card prescribed by subsection (b) shall be in the following form:

Signature _____
Address _____
Description of Customer--To be filled out by dealer _____
Sex _____ Age _____
Height _____ ft. _____ in.
Weight _____ lbs.
Race or Nationality _____
Clothing _____
Complexion _____
Right Thumbprint _____

- (d) These cards shall be mailed by the dealer in secondhand goods to the local law enforcement agency no later than the next business day after the item of personal property is received.

Sec. 951-205. Retention of acquired property.

All firearms, jewelry, electronic items and equipment, tools, ~~salvage or scrap metal~~, or other items originally marked with a serial number received by a dealer in secondhand goods under this article shall be held intact by the dealer in secondhand goods for seven (7) business days after the dealer in secondhand goods has mailed the card to the local law enforcement agency as required by this article. Whenever any dealer in secondhand goods receives written notice, either from the police department or from an individual, that someone is maintaining a claim of right to possession of the firearm, jewelry, electronic items or equipment, tools, ~~salvage or scrap metal~~, or other item originally marked with a serial number adverse to the dealer, the dealer shall keep the article in his possession or turn it over to the local law enforcement agency if so required by the local law enforcement agency. Once notice of an adverse claim to the article has been given under this section, the article shall be held for twenty (20) days, during which legal proceedings may be commenced to determine who is entitled to the property. If the matter is not settled or legal proceedings have not been commenced within twenty (20) days, the property shall be returned to the dealer in secondhand goods by the local law enforcement agency if held by them.

SECTION 3. Chapter 951 of the "Revised Code of the Consolidated City and County" regarding pawnbrokers and dealers in secondhand goods, hereby is amended by the addition of a NEW Article IV to read as follows:

ARTICLE IV. DEALERS IN SALVAGE OR SCRAP METAL

Sec. 951-401. Definitions.

For the purpose of this Article, the following words and phrases shall have the meanings ascribed to them in this section.

Ferrous metal means any metal containing a significant quantity of iron or steel.

Nonferrous metal means metal not containing a significant quantity of iron or steel, including,

without limitation, copper, brass, aluminum, bronze, lead, zinc, nickel, and alloys thereof.

Purchase transaction means a transaction in which a salvage or scrap metal dealer gives consideration to any person in exchange for regulated metals property.

Regulated metals property means any item composed primarily of any nonferrous metal, but shall not include aluminum beverage containers, used beverage containers, or similar beverage containers.

Salvage or scrap metal dealer means any individual, firm, corporation, limited liability company, or partnership, at a permanently established place of business, including junk shops, junk yards, junk stores, auto wreckers, scrap metal dealers or processors, salvage yards, dealers in junk, engaged in purchasing, selling, or exchanging ferrous or nonferrous metals that have served their original economic purpose.

Sec. 951-402. License required.

It shall be unlawful for any person to engage in the business of salvage or scrap metal dealer without first obtaining a license from the controller.

Sec. 951-403. Application for license.

(a) The applicant for a license to engage in the business of salvage or scrap metal dealer shall file an application on a form provided by the controller and shall pay a filing fee, which shall not be refundable.

(b) An applicant for a salvage or scrap metal dealer's license must be a natural person who has reached the age of eighteen (18) years or a corporation registered and qualified to do business in the state of Indiana.

(c) The application for a license to engage in the business of salvage or scrap metal dealer shall set forth the address of the proposed place of business, and the name and address of the person responsible for management of the operation of the business, and shall include such other information as the controller deems necessary to investigate the applicant and the applicant's proposed place of business.

(d) If the applicant is a corporation, the application shall set forth the following:

- (1) The name of the corporation exactly as set forth in the Articles of Incorporation;
- (2) The names and addresses of each officer, director, and shareholder owning more than 10 percent of the stock of such corporation;
- (3) The address of the corporation's registered agent for service of process in the state of Indiana; and
- (4) A certified copy of a statement from the Secretary of State of the state of Indiana that the corporation is registered in the state of Indiana and is duly qualified to do business in the state of Indiana shall be attached to the application.

Sec. 951-404. License fees.

The annual fee for a license required by this Article shall be two hundred dollars (\$200.00) for each place of business of the licensee.

Sec. 951-405. License term; renewal.

(a) Any license issued under this Article shall expire on December 31 of the calendar year in which the license was issued.

(b) An applicant for renewal of a license issued under this Article shall file an application on a form provided by the controller and shall pay the annual license fee.

Sec. 951-406. Transferability of license.

It shall be unlawful for any salvage or scrap metal dealer licensed under this Article to transfer, assign, or allow the use of such license by any person other than the one to whom it was issued.

Sec. 951-407. Unlawful purchases.

(a) It shall be unlawful for a salvage or scrap metal dealer or any officer, director, manager, or other agent or employee of a salvage or scrap metal dealer to receive any articles in the course of his business from any person who is in an intoxicated condition, a minor, or who is known or suspected by him to have acquired and be disposing of such articles unlawfully.

(b) It shall be unlawful for a salvage or scrap metal dealer or any officer, director, manager, or other agent or employee of a salvage or scrap metal dealer to purchase any of the following items of regulated metals property without obtaining proof that the seller owns the property (such as by a receipt or bill of sale) or proof that the seller is an employee, agent, or contractor of a governmental entity, utility company, cemetery, railroad, manufacturer, or other person, business, or entity owning the property and the seller is authorized to sell the item of regulated metals property on behalf of the person, business, or entity owning the property:

- (1) A manhole cover.
- (2) An electric light pole and its fixtures and hardware.
- (3) A guard rail.
- (4) A street sign, traffic sign, or traffic signal and its fixtures and hardware.
- (5) A funeral marker or funeral vase.
- (6) An historical marker.
- (7) Railroad equipment, including but not limited to a tie plate, switch plate, E clip, or rail tie junction.
- (8) Any metal used by, or that is the property of, or any item that is marked with any form of the name, initials, or logo of a governmental entity, utility company, cemetery, or railroad.
- (9) An aluminum or stainless steel container or bottle designed to hold propane for fueling fork lifts.

Sec. 951-408. Record to be kept.

(a) Every salvage or scrap metal dealer shall keep and preserve a legible record, in a written or electronic form approved by the controller, of all purchase transactions to which such salvage or scrap metal dealer is a party.

(b) In every purchase transaction in which a salvage or scrap metal dealer acquires regulated metals property from a person other than an officer, director, manager, or other agent or employee of another licensed salvage or scrap metal dealer or a manufacturing, industrial, or other commercial vendor that has a fixed place of business and generates regulated metals property in the ordinary course of business, the salvage or scrap metal dealer acquiring any regulated metals property in the purchase transaction, or an officer, director, manager, or other agent or employee of such salvage or scrap metal dealer shall, at the time of any such purchase transaction, enter the following information into the record required by this section:

- (1) The weight or quantity and a description of all regulated metals property received in the purchase transaction;
- (2) The amount of consideration exchanged for all regulated metals property received in the purchase transaction;
- (3) The date and time of the purchase transaction;
- (4) The name, address, and date of birth, of the person receiving consideration in exchange for any regulated metals property in the purchase transaction;
- (5) The motor vehicle license number, make, model, and color of the vehicle delivering the regulated metals property to the salvage or scrap metal dealer's place of business;
- (6) The name of the person entering the information into the record required by this section;

- (7) The signature of the person receiving consideration for any regulated metals property in the purchase transaction;
 - (8) A photographic copy of the unexpired government-issued photographic identification card of the person receiving consideration in exchange for any regulated metals property in the purchase transaction;
 - (9) A photographic or videographic image, made at the time of the purchase transaction, showing a frontal view of the facial features of the person receiving consideration for any regulated metals property; and
 - (10) A photographic or videographic image of any regulated metals property received by the salvage or scrap metal dealer in the purchase transaction, and in which image any serial numbers or manufacturer's markings on the regulated metals property are clearly visible.
- (c) In every purchase transaction in which a salvage or scrap metal dealer acquires regulated metals property from an officer, director, manager, or other agent or employee of a manufacturing, industrial, or other commercial vendor that has a fixed place of business and generates regulated metals property in the ordinary course of business, the salvage or scrap metal dealer acquiring any regulated metals property in the purchase transaction, or an officer, director, manager, or other agent or employee of such salvage or scrap metal dealer shall, at the time of any such purchase transaction, enter the following information into the record required by this section:
- (1) The weight or quantity and a description of all regulated metals property received in the purchase transaction;
 - (2) The amount of consideration exchanged for all regulated metals property received in the purchase transaction;
 - (3) The date and time of the purchase transaction;
 - (4) The name of the person entering the information into the record required by this section; and
 - (5) The name, address, and telephone number of the manufacturing, industrial, or other commercial vendor receiving consideration in exchange for any regulated metals property in the purchase transaction.
- (d) A salvage or scrap metal dealer shall maintain or cause to be maintained the record required by this section for not less than 5 years from the date of the purchase transaction.
- (e) The record required by this section shall be open to inspection at all reasonable times by the police or the controller.
- (f) It shall be unlawful for a salvage or scrap metal dealer to fail to comply with any provision of this section.

Sec. 951-409. Retention of acquired regulated metals property.

- (a) Whenever any salvage or scrap metal dealer receives notice from the Indianapolis Metropolitan Police Department that someone is maintaining a claim of right to possession of any regulated metals property received by the dealer in any purchase transaction, the salvage or scrap metal dealer shall retain the regulated metals property identified in the notice and may not process or remove said property, or any portion thereof, from the dealer's place of business for thirty (30) days, unless sooner released by a law enforcement officer of the Indianapolis Metropolitan Police Department.
- (b) The stock or inventory of all regulated metals property received by a salvage or scrap metal dealer in a purchase transaction shall at any time during ordinary business hours be available for examination by any law enforcement officer of the Indianapolis Metropolitan Police Department.
- (c) It shall be unlawful for a salvage or scrap metal dealer to fail to comply with any provision of this section.

Sec. 951-410. Violations.

Any violation of this Article shall be subject to the enforcement procedures and penalties provided in section 103-3 of this Code.

SECTION 4. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 5. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 6. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

Councillor Sanders reported that the Administration and Finance Committee heard Proposal Nos. 523 and 524, 2007 on December 11, 2007. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 523, 2007. The proposal, sponsored by Councillors Nytes, Borst and Sanders, approves temporary tax anticipation borrowing and authorizes the City to refinance warrants issued to make temporary loans for the use of certain funds and accounts in anticipation of current taxes levied in the year 2006 and still collectible in the 2007 budget year and to make and refinance temporary loans during 2008 in anticipation of current taxes levied in the year 2007 and collectible in 2008, authorizing the issuance of tax anticipation time warrants to evidence such loans, pledging and appropriating the taxes to be received in such funds to the payment of such warrants, including the interest thereon. PROPOSAL NO. 524, 2007. The proposal, sponsored by Councillors Nytes, Borst and Sanders, approves temporary tax anticipation borrowing and authorizes the County to refinance warrants issued to make temporary loans for the use of certain funds and accounts in anticipation of current taxes levied in the year 2006 and still collectible in the 2007 budget year and to make and refinance temporary loans during 2008 in anticipation of current taxes levied in the year 2007 and collectible in 2008, authorizing the issuance of tax anticipation time warrants to evidence such loans, pledging and appropriating the taxes to be received in such funds to the payment of such warrants, including the interest thereon. By 4-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Sanders moved, seconded by Councillor Nytes, for adoption. Proposal Nos. 523 and 524, 2007 were adopted on the following roll call vote; viz:

23 YEAS: Bateman, Borst, Boyd, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy

0 NAYS:

2 NOT VOTING: Cain, Moriarty Adams

4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 523, 2007 was retitled FISCAL ORDINANCE NO. 125, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 125, 2007

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing the City of Indianapolis ("City") to refinance warrants issued to make temporary loans for the use of the funds and accounts listed on Exhibit A (collectively, the "Funds") during the period January 1, 2007, through December 31, 2007, in anticipation of current taxes levied in the year 2006 and still collectible in the 2007 budget year ("2007 Taxes"), and to make and refinance temporary loans during the period January 1, 2008, through December 31, 2008, in anticipation of current taxes levied in the year

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2007 and collectible in the year 2008 ("2008 Taxes," and collectively with the 2007 Taxes, the "Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans; pledging and appropriating the Taxes to be received in such Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Controller has represented and the City-County Council now finds:

- A That the final distribution of 2007 Taxes is late because of reassessment of property under IC 6-1.1-4-4.5 (Trending).
- B That there will be insufficient funds in each of the Funds to repay outstanding warrants issued to meet the current expenses payable from such Fund prior to the 2007 distributions of 2007 Taxes levied for such Fund, and the 2007 distributions of 2007 Taxes to be collected for the respective amounts listed on Exhibit A and the interest cost of making temporary loans for the respective Funds.
- C That there will be insufficient funds in the Funds to meet the current expenses payable from such Funds prior to the 2008 distributions of 2008 Taxes levied for such Funds, and the 2008 distributions of 2008 Taxes to be collected for the respective amounts listed on Exhibit A and the interest cost of making temporary loans for the respective Funds.

WHEREAS, a necessity exists for the making of temporary loans for these Funds in anticipation of Taxes for these Funds and Accounts actually levied for the year 2006 and still in the course of collection for the budget year 2007, and for the year 2007 and in the course of collection for the year 2008;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

The City is authorized to borrow on temporary loans for the use and benefit of each of the Funds of the City listed on Exhibit A in the maximum principal amounts for each Fund shown on Exhibit A in anticipation of 2007 Taxes for that Fund still to be collected in 2008, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the respective Funds for which the Warrants are issued and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the 2007 Taxes to be received in the respective Funds from 2007 distributions of 2007 Taxes for each of the Funds, to the respective Funds, the 2007 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

The City is authorized to borrow on temporary loans for the use and benefit of each of the Funds of the City listed on Exhibit A in the maximum principal amounts for each Fund shown on Exhibit A in anticipation of 2008 Taxes for that Fund for the year 2008, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the respective Funds for which the Warrants are issued and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the 2008 Taxes to be received in the respective Funds from 2008 distributions of 2008 Taxes for each of the Funds, to the respective Funds, the 2008 Budget Payments of Loans (hereby created) for the payment of the principal of the Warrants evidencing such temporary loans, and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

D All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of eight percent per annum, to be determined as provided in Section 5.

(b) The Warrants for each Fund or Account payable from the 2007 Taxes may be issued in one or more series, designated Series 2007 Warrants ("Series 2007 Warrants"), designated under the appropriate letter designation. The Series 2007 Warrants for each Fund or Account may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series 2007 Warrants for each Fund or Account may be issued in an amount not to exceed the amount of the distribution of 2007 Taxes scheduled for the remaining 2007 Tax payments for that Fund or Account.

(c) The Warrants for each Fund or Account payable from the 2008 Taxes may be issued in one or more series, designated Series 2008 Warrants ("Series 2008 Warrants") under the appropriate letter designation. The Series 2008 Warrants for each Fund or Account may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series 2008 Warrants for each

Fund or Account may be issued in an amount not to exceed the amount of the distribution of 2008 Taxes scheduled for the uncollected 2008 payment for that Fund or Account.

(d) All Warrants issued pursuant to this ordinance shall mature and be payable not later than December 31, 2008. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants. Any of these Warrants may be rolled over to a maturity date no later than December 31, 2008 if the Taxes pledged to the repayment of those Warrants have not been collected.

(e) *The interest rate on the Warrants will be determined as provided in Section 5. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.*

E The Controller may sell the Warrants in one or more Series as set forth in Section 4 pursuant to either subsection (b) or (c) of this section. The Controller is hereby authorized and directed to have the Warrants prepared, and the Mayor, Controller and Clerk are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

The Controller may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Controller and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Mayor, Controller and Clerk are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

The Controller may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Controller shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the City, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Controller at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the City determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Controller shall have the right to reject any and all bids at public sale. The proper officers of the City are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more Series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Controller and the purchaser of the Warrants at public sale.

The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____ Principal \$ _____

CITY OF INDIANAPOLIS
TAX ANTICIPATION TIME WARRANT, SERIES 200 ____
(_____ [FUND] [ACCOUNT])

On the _____ day of _____, 2008, the City of Indianapolis ("City") in Marion County, Indiana promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer, ex officio Treasurer of the City, the sum of _____ Dollars (\$ _____), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of _____% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear as a rate of _____% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year of 200 ___, and payable in the [first installment] [second installment] for the year 200 ___, ("Taxes"), which Taxes are now in course of collection for the _____ of the City, with which to pay general, current, operating expenses.

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This Warrant is in the principal amount of \$_____ evidencing a temporary loan in anticipation of the Taxes for the _____.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the _____ day of _____, 2007, for the purpose of providing funds for the _____ of the City, in compliance with IC 36-3-4-22.

The consideration for this Warrant is a loan made to the City in anticipation of Taxes levied for the _____ of the City for the year of 200__, payable in the [first installment] [second installment] for the year 200__, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, the City of Indianapolis has caused the warrant to be signed in its corporate name by the manual or facsimile signature of the Mayor, and countersigned by the Controller of the City of Indianapolis, the corporate seal of the City to be hereunto affixed, and attested by the Clerk of the City of Indianapolis.

Dated this _____ day of _____, 2008.

CITY OF INDIANAPOLIS

By: _____
Mayor, City of Indianapolis

COUNTERSIGNED:

By: _____
Controller, City of Indianapolis

ATTEST:

By: _____
Clerk, City of Indianapolis

EXHIBIT A
(Advances)

[End of Warrant Form]

The Warrants shall be executed in the name of the City by the manual or facsimile signature of the Mayor of the City, countersigned by the Controller of the City, the corporate seal of the City to be affixed thereto and attested by the Clerk of the City. The Warrants shall be payable at the office of the Marion County Treasurer, the ex officio City Treasurer, or the paying agent of the City. The Controller may pay costs of issuance of the Warrants from the proceeds thereof.

In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended and in existence on the date of issuance of the Warrants ("Code"), and as an inducement to purchasers of the Warrants, the City represents, covenants and agrees that:

No person or entity other than the City or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds or Accounts.

No portion of the payment of the principal of or interest on the Warrants will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest in property used or to be used for a private business use or payments in respect of such property

or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.

The City will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the City act in any other manner which would adversely affect such exclusion.

The City represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the City does not qualify for such exception with regard to any of the Warrants, the City will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Exhibit A

Fund Name	2007 Amount	2008 Amount
Metropolitan Police Department Fund	\$9,811,018	\$43,325,540
Park General Fund	\$3,458,894	\$17,631,318
Sanitation Solid	\$5,175,961	\$25,850,459
Fire Special Service District	\$3,073,700	\$12,933,562
Indpls. Fire Consolidated	\$7,831,957	\$38,305,120
Warren Township Fire		\$2,901,584
Indpls. Fire Cum Capital	\$284,082	\$1,990,278
Consolidated City Redevelopment General	\$90,172	\$450,208
Consolidated City Redevelopment Debt	\$1,600,550	\$991,190
Cum Capital Development	\$2,765,271	\$12,606,376
Consolidated City General	\$4,107,932	\$20,939,712
Consolidated City Park Debt	\$609,461	\$3,106,662
Metro Thoroughfare Debt	\$989,386	\$5,043,283
MECA Debt Service Fund	\$1,171,433	\$4,371,247
Tax Increment Replacement Fund	\$1,218,801	\$5,646,832
Total Tax Increment Financing District Fund	\$32,500,000	\$44,154,000
TOTAL	\$74,688,618	\$240,247,371

TOTAL

\$314,935,989

Proposal No. 524, 2007 was retitled FISCAL ORDINANCE NO. 126, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 126, 2007

A PROPOSAL FOR A FISCAL ORDINANCE approving temporary tax anticipation borrowing, authorizing Marion County, Indiana ("County") to refinance warrants issued to make temporary loans for the use of the funds and accounts listed on Exhibit A (collectively, the "Funds") during the period January 1, 2007, through December 31, 2007, in anticipation of current taxes levied in the year 2006 and still collectible in the 2007 budget year ("2007 Taxes"), and to make and refinance temporary loans during the period January 1, 2008, through December 31, 2008, in anticipation of current taxes levied in the year 2007 and collectible in the year 2008 ("2008 Taxes", and collectively with the 2007 Taxes, the "Taxes"), authorizing the issuance of tax anticipation time warrants ("Warrants") to evidence such loans;

pledging and appropriating the Taxes to be received in the Funds to the payment of such Warrants, including the interest thereon; and fixing a time when this ordinance shall take effect.

WHEREAS, the Auditor of the County has filed with the Mayor of the City of Indianapolis ("City") an estimate and statement showing the amount of money needed to repay outstanding warrants issued to meet current expenses from the Funds pending the receipt of 2007 Taxes actually levied in 2006 and still in the process of collection in 2008, and 2008 Taxes actually levied in 2007 and in the process of collection in 2008, and the Mayor did make and enter of record a finding and the Auditor and the Mayor have requested the City-County Council of Indianapolis and of Marion County ("City-County Council") to authorize temporary borrowing to procure funds necessary for use by the Funds to pay the incidental expenses necessary to be incurred in connection with the issuance and sale of the Warrants;

WHEREAS, the City-County Council now finds that the request should be granted and:

- A. that there will be insufficient funds in the Funds to repay the warrants issued to meet the current expenses payable from the Funds prior to the distributions of 2007 Taxes levied for such Funds, and the distributions of 2007 Taxes to be collected for the Funds will collectively amount to more than Forty Eight Million Six Hundred Seventy Seven Thousand Eight Hundred Two Dollars (\$48,677,802) and the interest cost of making temporary loans for the Funds; and
- B. that there will be insufficient funds in the Funds to meet the current expenses payable from such Funds prior to the distributions of 2008 Taxes levied for such Funds, and the distributions of 2008 Taxes to be collected for the Funds will collectively amount to more than Two Hundred Nine Million Four Hundred Thirty Nine Thousand One Hundred Ninety Dollars (\$209,439,190) and the interest cost of making temporary loans for the Funds; and

WHEREAS, a necessity exists for the making of temporary loans for these Funds in anticipation of 2007 Taxes for these Funds actually levied for the year 2006 and still in the course of collection for the budget year 2007, and actually levied for the year 2007 and in the course of collection for the year 2008;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY-COUNTY COUNCIL
OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

The Auditor of the County and the Mayor of the City are authorized to borrow in the name of the County on temporary loans for the use and benefit of the Funds of the County in the maximum principal amount of Forty Eight Million Six Hundred Seventy Seven Thousand Eight Hundred Two Dollars (\$48,677,802) in anticipation of 2007 Taxes for the Funds still to be collected in 2008, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Funds and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the 2007 Taxes to be received in the Funds from the distributions of 2007 Taxes for the Funds, for the payment of the principal of the Warrants evidencing such temporary loan and the amount of interest on such principal computed from the date or dates of the Warrants to their dates of maturity.

The Auditor of the County and the Mayor of the City are authorized to borrow on temporary loans for the use and benefit of the Funds of the County in the maximum principal amount of Two Hundred Nine Million Four Hundred Thirty Nine Thousand One Hundred Ninety Dollars (\$209,439,190) in anticipation of 2008 Taxes for the Funds for the year 2008, which loans shall be evidenced by Warrants. The Warrants, including interest, shall be payable from the Funds and there is hereby appropriated and pledged to the payment of these Warrants, including interest, a sufficient amount of the 2008 Taxes to be received in the Funds from the distributions of 2008 Taxes for the Funds, to the Funds for the payment of the principal of the Warrants evidencing such temporary loans and the amount of interest on the principal computed from the date or dates of the Warrants to their dates of maturity.

F All Warrants issued pursuant to this ordinance shall bear interest at the rate or rates, not to exceed a maximum rate of eight percent per annum, to be determined as provided in Section 4.

(b) The Warrants for each Fund or Account payable from the 2007 Taxes may be issued in one or more series, designated Series 2007 Warrant ("Series 2007 Warrants") with the appropriate letter designation. The Series 2007 Warrants for each Fund or Account may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series 2007 Warrants for each Fund or Account may be issued in an amount not to exceed the amount of the distribution of 2007 Taxes scheduled for the remaining 2007 Tax payments for that Fund or Account.

(c) The Warrants for each Fund or Account payable from the 2008 Taxes may be issued in one or more series, designated Series 2008 Warrants ("Series 2008 Warrants") with the appropriate letter

designation. The Series 2008 Warrants for each Fund or Account may be issued in an amount not to exceed the respective amounts set forth herein with interest thereon. The Series 2008 Warrants for each Fund or Account may be issued in an amount not to exceed the amount of the distribution of 2008 Taxes scheduled for the uncollected 2008 Tax payments for that Fund or Account.

(d) All Warrants issued pursuant to this ordinance shall mature and be payable not later than December 31, 2008. The Warrants shall be dated as of the date or dates of actual delivery of the respective Warrants. Any of these Warrants may be rolled over to a maturity date no later than December 31, 2008 if the Taxes pledged to the repayment of those Warrants have not been collected.

(e) *The interest rate on the Warrants will be determined as provided in Section 4. The Warrants are not subject to redemption prior to their respective maturity dates if sold at public sale and may be redeemed as set forth in the purchase agreement with The Indianapolis Local Public Improvement Bond Bank ("Bond Bank") if sold to it.*

G The Auditor may sell the Warrants in one or more series as set forth in Section 3 pursuant to either subsection (b) or (c) of this section. The Auditor is hereby authorized and directed to have the Warrants prepared, and The Board of Commissioners of the County ("Commissioners"), Mayor and Auditor are hereby authorized and directed to execute and attest the Warrants in the manner substantially set out in the form provided below.

The Auditor may sell any or all the Warrants to the Bond Bank pursuant to IC 5-1.4 on such terms and conditions as are consistent with this ordinance and mutually agreed to between the Auditor and the Bond Bank. In the event of a sale of such Warrants to the Bond Bank, the Commissioners, the Mayor and Auditor are authorized to execute a purchase agreement with the Bond Bank in an acceptable form and to do such other actions and execute such documents as may be required by the Bond Bank as a condition to the purchase of such Warrants.

The Auditor may sell any or all the Warrants at public sale. Prior to the sale of the Warrants at public sale, the Auditor shall cause a notice of sale to be published twice, with the first publication at least fifteen days before the date of sale and the second publication at least three days before the sale date, in two newspapers of general circulation, printed in the English language and published in the County, as provided by IC 5-3-1. All bids at public sale for the Warrants shall be sealed and shall be presented to the Auditor at his office, and all bids shall name the rate or rates of interest for the Warrants or portion thereof. If sold at public sale, the Warrants, or portion thereof bid for, shall be awarded to the bidder or bidders offering the lowest net interest cost to the County determined by computing the total interest on all Warrants and deducting any premium. Any premium shall be used solely for the repayment of the principal of and interest on the Warrants. No bid at public sale for less than par shall be considered, and the Auditor shall have the right to reject any and all bids at public sale. The proper officers of the County are authorized to deliver the time Warrants to the purchaser or purchasers of the Warrants at public sale in one or more series in exchange for the agreed purchase price in immediately available funds. The Warrants may be delivered in one or more series at one time or in parcels from time to time, pursuant to any agreements or understandings with respect to such delivery by and between the Auditor and the purchaser of the Warrants at public sale.

The Warrants shall be issued in substantially the following form (all blanks, including the appropriate amounts, date, statutory citations, and other data, to be properly completed prior to the execution and delivery thereof):

No. _____
\$ _____

Principal

MARION COUNTY
TAX ANTICIPATION TIME WARRANT, SERIES 200 _____
(_____ FUND)

On the _____ day of _____, 2008, the Board of Commissioners of Marion County, Indiana ("County") promises to pay to [bearer] [The Indianapolis Local Public Improvement Bond Bank], at the office of the Marion County Treasurer the sum of _____ Dollars (\$_____), or so much of the principal amount of this Warrant (set forth below) as shall have been advanced as shown in Exhibit A plus interest at the rate of _____% per annum on the amount advanced for the period of the advance, except that any advance in excess of the Maximum Cumulative Monthly Advance as shown on Exhibit B shall bear interest at the rate of _____% per annum. This Warrant shall be payable solely out of and from ad valorem property taxes levied in the year 200____, and payable from the [first installment] [second installment] for the year 200____ ("Taxes"), which Taxes are

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now in course of collection for the County _____ Fund, with which to pay general, current, operating expenses.

This Warrant is in the principal amount of _____ Dollars (\$ _____), evidencing a temporary loan in anticipation of the Taxes for the County _____ Fund.

The temporary loan was authorized by an ordinance duly adopted by the City-County Council at a meeting thereof duly and legally convened and held on the _____ day of _____, 2007, for the purpose of providing funds for the County _____ Fund, in compliance with IC 36-2-6.

The consideration for this Warrant is a loan made to the County in anticipation of Taxes levied for the County _____ Fund for the year of 2007, payable in the [first installment] [second installment] for the year 2008, and the Taxes so levied are hereby specifically appropriated and pledged to the payment of this Tax Anticipation Time Warrant.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to the authorization, preparation, complete execution and delivery of the warrants have been done and performed as provided by law.

IN WITNESS WHEREOF, The Board of Commissioners of Marion County, Indiana has caused the warrant to be signed in the corporate name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor and attested by the Auditor and the corporate seal of The Board of Commissioners to be hereunto affixed.

Dated this _____ day of _____, 2008.

THE BOARD OF COMMISSIONERS OF
MARION COUNTY, INDIANA

By: _____
Commissioner

By: _____
Commissioner

By: _____
Commissioner

COUNTERSIGNED:

By: _____
Mayor, City of Indianapolis

ATTEST:

By: _____
Auditor, Marion County

EXHIBIT A
(Advances)
[End of Warrant Form]

The Warrants shall be executed in the name of the County by the manual or facsimile signatures of the Commissioners, countersigned by the Mayor of the City, the corporate seal of the County to be affixed thereto and attested by the Auditor of the County. The Warrants shall be payable at the office of the Marion County Treasurer, or the paying agent of the City. The Auditor may pay costs of issuance of the Warrants from the proceeds thereof.

In order to preserve the exclusion of interest on the Warrants from gross income for federal tax purposes under Section 103 of the Internal Revenue Code of 1986, as amended and in existence on the date of issuance of the Warrants ("Code"), and as an inducement to purchasers of the Warrants, the County represents, covenants and agrees that:

No person or entity other than the County or another state or local governmental unit will use proceeds of the Warrants other than as a member of the general public. Warrant proceeds shall be used exclusively for the purposes of the respective Funds.

No portion of the principal of or interest on the Warrant proceeds will (under the terms of the Warrant, this ordinance or any underlying arrangement), directly or indirectly, be (i) secured by an interest property used or to be used for a private business use or payments in respect of such property or (ii) derived from payments in respect of such property or borrowed money used or to be used for a private business use.

No Warrant proceeds will be loaned to any person or entity other than another state or local governmental unit. No Warrant proceeds will be transferred, directly or indirectly, or deemed transferred to a nongovernmental person in any manner that would in substance constitute a loan of the Warrant proceeds.

The County will not take any action nor fail to take any action with respect to the Warrants that would result in the loss of the exclusion from gross income for federal tax purposes on the Warrants pursuant to Section 103 of the Code, nor will the County act in any other manner which would adversely affect such exclusion.

The County represents that it intends to qualify for the exception to the rebate requirement of Section 148(f) of the Code set forth in Section 148(f)(4)(B) of the Code. However, if the County does not qualify for such exception with regard to any of the Warrants, the County will comply with the rebate requirement of Section 148(f) of the Code to the extent necessary to preserve the exclusion from gross income of interest on the Warrants and the Bond Bank obligations issued to purchase the Warrants for federal tax purposes.

It shall not be an event of default under this ordinance, including without limitation subsections (a) through (e) of this Section, if the interest on any Warrants is not excludable from gross income for federal tax purposes or otherwise pursuant to any provision of the Code which is not currently in effect and in existence on the date of issuance of the Warrants.

This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Exhibit A

Fund Name	2007 Amount	2008 Amount
County General Fund	\$23,064,572	\$116,969,018
Family and Children's Fund	\$13,495,228	\$65,312,141
Property Reassessment	\$308,688	\$1,641,588
Juvenile Incarceration Debt Service Fund	\$3,640,941	\$18,354,951
Child Psych Res Treatment	\$348,264	\$1,709,552
Capital Lease Fund	\$55,406	\$282,424
Co Cum Capital Development	\$1,131,858	\$5,169,516
Welfare Debt	\$6,632,845	\$0
TOTAL	48,677,802	209,439,190

County Total \$258,116,992

Total City and County \$573,052,981

PROPOSAL NO. 526, 2007. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 526, 2007 on December 11, 2007. The proposal, sponsored by Councillors Nytes, Sanders and Conley, approves disposal of certain parcels that have an appraised value of \$50,000 or more by the Marion County Board of Commissioners. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Sanders moved, seconded by Councillor Conley, for adoption. Proposal No. 526, 2007 was adopted on the following roll call vote; viz:

December 17, 2007

24 YEAS: Bateman, Borst, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy

0 NAYS:

1 NOT VOTING: Boyd

4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 526, 2007 was retitled GENERAL RESOLUTION NO. 22, 2007, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 22, 2007

A PROPOSAL FOR A GENERAL RESOLUTION for the City-County Council to give approval to the Board of Commissioners of Marion County ("Board") to dispose of certain parcels that have an appraised value of fifty thousand dollars (\$50,000) or more.

WHEREAS, Marion County, pursuant to I.C. 6-1.1-25-4, has title to certain parcels of surplus real property, by virtue of such parcels being unsuccessfully offered for sale to collect delinquent property taxes and special assessments; and

WHEREAS, Executive Order No. 3, 1995 by the Mayor of the Consolidated City-County, designates the Board to act as the disposing agent of surplus real property titled to Marion County; and

WHEREAS, I.C. 36-1-11-3 provides that the fiscal body of a unit must approve every sale of real property having an appraised value of fifty thousand dollars (\$50,000) or more; and

WHEREAS, the Board would like to dispose of certain parcels of real property that have an appraised value of \$50,000 or more; and

WHEREAS, the aforementioned parcels of real property are described in "Exhibit A in 3 parts", which is attached hereto ("Disposal of County Property"); and

WHEREAS, the City-County Council, having considered the disposal of the parcels and being duly advised, find that the City-County Council desires to have the Board dispose of the parcels of real property described in "Exhibit A in 3 parts" according to the procedures established by I.C. 6-1.1-25-9; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City-County Council, pursuant to the authority granted under I.C. 36-1-11-3 and Executive Order No. 3, 1995, approves the Board of Commissioners of Marion County to dispose of the parcels of real property described in "Exhibit A in 3 parts" (a copy of which is attached to the official copy of the resolution on file with the Clerk of the Council).

SECTION 2. Any disposal of property by the Board shall comply with I.C. 6-1.1-25-9.

SECTION 3. For purposes of Revised Code Sec. 151-66, the parcels listed in "Exhibit A in 3 parts" are owned by Marion County.

SECTION 4. This resolution shall be in full force and effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

EXHIBIT "A"
DISPOSAL OF COUNTY PROPERTY

447 E. 38th Street
Parcel 1074358
District- Councillor Jackie Nytes
Neighborhood Liaison- Betty Smith-Beecher
Community Development Corporation- Mapleton Fall Creek

Appraisal \$121,500

Built 1920

Zoning- D-8

Property previously used as Juvenile Probation Office

Lot -15 spaces

The neighborhood is a mixture of land uses including retail, service-commercial, residential, and converted residential structures.

Highest and Best Use- Office

Suggested disposition: Office for CDC if Mapleton Fall Creek can obtain funding, or offer in Public Auction.

5440 E. 38th Street

Parcel 4002184

District- Councillor Paul Bateman

Neighborhood Liaison - Carl Clark

Community Development Corporation - United North East

Appraisal \$61,000

Built 1965 estimate

Zoning D-5

Property previously used as Juvenile Probation Office

Lot -10 spaces

The neighborhood is a mixture of land uses including retail, service-commercial, residential, and special use properties.

Highest and Best Use- Office

Suggested disposition: Office for CDC if United North East can obtain funding, or offer in Public Auction.

2528- 2542 N Delaware Street

Parcels 1036416, 1015970, 1018831, 1020877, 1039646, 1015165, 1015166 and 1006424

District- Councillor Andre Carson

Neighborhood Liaison- Carl Clark

Community Development Corporation- King Park

Appraisal \$204,470

Built unknown

Zoning SU-7, Charitable, philanthropic and not for profit institution

Property previously used as Youth Center for Juvenile Court

Lot -20 spaces

The neighborhood is under going redevelopment. Existing Single- family, multi-family, and some commercial properties are being demolished to create sites for new single and multifamily residential developments.

Highest and Best Use- Demolish to create vacant property

Groups attending hearing expressing interest: Crane House, Englewood Development Company, Inc. (Senior housing)

Suggested disposition: Put out for bid

4002 Massachusetts and 2505 N. Sherman

Parcel 1098703 & 1098788

District- Councillor William Oliver

Neighborhood Liaison- Carl Clark

Community Development Corporation- United North East

Appraisal \$134,910

Vacant land

Zoning I2-U, C4, Charitable, philanthropic and not for profit institution

Property previously used as Drive-In Theatre

The property is located within Brightwood, on the near-eastside of Indianapolis. The neighborhood is densely populated with residences, with commercial developments located at the intersections of east-west and north-side arteries.

Property was acquired by County for Non-Payment of \$232,759 in Property Taxes

Suggested disposition: Offer in Public Auction

December 17, 2007

3242-3252 Sutherland
Parcel 1091239
District- Councillor Jackie Nytes
Neighborhood Liaison- Carl Clark
Community Development Corporation- United North East

Appraisal \$60,000
Built- approximately 40 -45 years ago
Zoning SU-7, PK-1, D-5
Property previously used as Day Care Facility
The property is located on the banks of the Fall Creek, approximately 40%
of the subject site lies on the banks or bed of Fall Creek.

Property was acquired by County for Non-Payment of \$877,000 in Property Taxes
Highest and Best Use- Demolish to create vacant parcel
Suggested disposition: Inter-governmental Transfer with Parks Department

11500 E Troy Avenue
Parcel 7003396
District- Councillor Lance Langford
Neighborhood Liaison- Carmen Lethig
Community Development Corporation- None

Appraisal \$720,000
60 Acres, 15 acres of the 60 acres is wooded
Zoning A-2
Property previously used 45 acres as Farm Land @ 121.00 per acre
The property is located at the northwest corner of Troy and Kitley Road, approximately 12 miles from
the center of Indianapolis. The site is unimproved ground.

Highest and Best Use- Residential usage
Suggested disposition: Inter-governmental Transfer with Parks Department, the Parks Department has
passed a resolution approving acquisition

PROPOSAL NO. 527, 2007. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 527, 2007 on December 11, 2007. The proposal, sponsored by Councillors Nytes and Sanders, restates the AUL Deferred Compensation Plan to promote ease of administration, permit additional rollovers into the AUL plan to increase attractiveness to employees, and provide for matching contributions by the City for police officers and firefighters as negotiated in labor agreements. By a 4-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Sanders moved, seconded by Councillor Gibson, for adoption. Proposal No. 527, 2007 was adopted on the following roll call vote; viz:

25 YEAS: Bateman, Borst, Boyd, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller,
Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer,
Plowman, Pryor, Randolph, Sanders, Schneider, Speedy
0 NAYS:
0 NOT VOTING:
4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 527, 2007 was retitled GENERAL RESOLUTION NO. 23, 2007, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 23, 2007

A PROPOSAL FOR A GENERAL RESOLUTION to restate the AUL deferred compensation plan of
the City of Indianapolis and Marion County.

WHEREAS, the City has previously established the AUL deferred compensation plan that is available to its employees pursuant to Section 457 of the Internal Revenue Code permitting such plans; and

WHEREAS, the City desires to restate that plan to promote ease of administration; permit additional rollovers into the plan to increase attractiveness to employees; and to provide for matching contributions by the City for police officers and firefighters as negotiated in labor agreements; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. The City-County Council, pursuant to Section 291-401 of the Revised Code of the Consolidated City and County, hereby approves this restatement of the AUL deferred compensation plan in two documents entitled "Eligible 457 Prototype Plan and Trust Agreement" and "Eligible 457 Prototype Plan Salary Reduction Contributions/Employer Contributions Adoption Agreement" submitted to the Council and attached to this proposal as Exhibit A.

SECTION 2. The effective date of the restated AUL deferred compensation plan approved by this general resolution shall be January 1, 2008.

SECTION 3. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code §36-3-4-14.

PROPOSAL NO. 528, 2007. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 528, 2007 on December 4, 2007. The proposal, sponsored by Councillors Sanders, Mahern and Plowman, amends General Resolution No. 207, 2007 to protect the city's investment as approved thereby by requiring labor peace. By a 5-2-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Sanders moved, seconded by Councillor Gibson, to strike the word "enforceable" in the first sentence of Section 5 located in Section 1 of the ordinance. The proposal was amended by a unanimous voice vote.

Councillor McWhirter asked if there is any enforceability to secure a union contract. Councillor Sanders said that there is no protection under the construction phase.

Councillor Borst said that he opposed this proposal in committee, and he has concerns about changing the rules midstream, and this will slow down the process of bargaining in good faith. He said that stipulating that no bonds can be issued unless they are subject to a labor peace agreement will keep a lot of business from Indianapolis. He said that they would lose the 2010 Final Four and other huge convention business. He said that an 800-room hotel will not suffice, and a 1,000-room hotel is needed to book the big conventions. He said that this is the third expansion of the convention center in several years, and while he wants everyone to have good wages, this should be left up to the hotel owners.

Councillor Schneider agreed and said that this language is a potential deal killer. He said that Proposal No. 215, 2007 already passed urging the city to adopt such language, and they chose not to. He said that this sends a bad message that this city will enter into an agreement and then change the rules in the middle of it. He strongly opposes the proposal.

Councillor Plowman said that this is a major investment of taxpayer money and he does not see why the City cannot have a say in labor peace, and therefore, he supports the proposal.

Councillor Pfisterer said that she heartily agrees with Councillors Borst and Schneider. She said that Tax Increment Financing (TIF) areas pay for themselves, and having "shall" language that is unenforceable nullifies itself.

Councillor Speedy said that he will oppose the proposal to protect 500 union construction jobs. The proposal would lose business and put too much at stake.

Councillor Cockrum stated that he will abstain from voting on this proposal to avoid the appearance of a conflict of interest, as his son is an executive with White Lodging.

Councillor Boyd moved, seconded by Councillor Sanders, for adoption. Proposal No. 528, 2007 failed on the following roll call vote; viz:

12 YEAS: Bateman, Boyd, Gibson, Gray, Langsford, Mahern, McWhirter, Moriarty Adams, Oliver, Plowman, Pryor, Sanders

12 NAYS: Borst, Cain, Conley, Day, Keller, Lutz, Mansfield, Nytes, Pfisterer, Randolph, Schneider, Speedy

1 NOT VOTING: Cockrum

4 ABSENT: Brown, Carson, Franklin, Vaughn

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 532 and 537, 2007 on December 5, 2007. She asked for consent to vote on these proposals together. Councillor Schneider asked that they be voted on separately.

PROPOSAL NO. 534, 2007. The proposal, sponsored by Councillors Oliver and Pryor, transfers \$61,000 in the 2007 Budget of the Marion County Coroner (County General Fund) to cover professional services including pathology, toxicology, histology, as well as ISA charges, for the remainder of the year. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Pryor, for adoption. Proposal No. 534, 2007 was adopted on the following roll call vote; viz:

21 YEAS: Bateman, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Pryor, Randolph, Sanders, Speedy

0 NAYS:

4 NOT VOTING: Borst, Boyd, Plowman, Schneider

4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 534, 2007 was retitled FISCAL ORDINANCE NO. 127, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 127, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Sixty-One Thousand Dollars (\$61,000) in the County General Fund for purposes of the Marion County Coroner and reducing certain other accounts for that agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.03 (d) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Coroner, to cover professional services including pathology, toxicology, histology, as well as ISA charges, for the remainder of the year, financed by a transfer between characters.

SECTION 2. The sum of Sixty-One Thousand Dollars (\$61,000) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION COUNTY CORONER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	61,000
4. Capital Outlay	<u>0</u>
TOTAL INCREASE	61,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY CORONER</u>	<u>COUNTY GENERAL FUND</u>
1. Personal Services	0
2. Supplies	40,000
3. Other Services and Charges	0
4. Capital Outlay	<u>21,000</u>
TOTAL REDUCTION	61,000

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 537, 2007. The proposal, sponsored by Councillors Mansfield and Moriarty Adams, approves certain public purpose grants totaling \$15,000 for the support of IndyFeral, Inc. By a 5-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Speedy said that this is non-essential spending, and while this is a commendable organization with a good track record, it could be funded by other means.

Councillor Keller stated that he supports the proposal.

Councillor Moriarty Adams moved, seconded by Councillor Mansfield, for adoption. Proposal No. 537, 2007 was adopted on the following roll call vote; viz:

22 YEAS: Bateman, Boyd, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider
2 NAYS: Cain, Speedy
1 NOT VOTING: Borst
4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 537, 2007 was retitled GENERAL RESOLUTION NO. 24, 2007, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 24, 2007

PROPOSAL FOR A GENERAL RESOLUTION approving certain public purpose grants totaling \$15,000.00 for the support of IndyFeral Inc.

BE ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

WHEREAS, the City-County Council of the Consolidated City of Indianapolis and Marion County, Indiana ("City-County Council") has determined there are sufficient appropriations in the sum of Fifteen Thousand dollars (\$15,000.00) in City-County Fiscal Ordinance No. 89, 2006, Annual Budget of the Consolidated City of Indianapolis (Budget Ordinance) for funding of spay/neuter services and vaccinations of feral cats in Indianapolis' low-income neighborhoods and provided that such grants shall be considered public purpose local grants; and

December 17, 2007

WHEREAS, Section 4.01 of City-County Fiscal Ordinance No. 89, 2006 of the Budget Ordinance requires that sums appropriated therein for public purpose local grants shall not be spent until the City-County Council approves the amount and identifies the recipient of each grant; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. A grant totaling Fifteen Thousand dollars (\$15,000.00) is hereby awarded to IndyFeral Inc., for funding of spay/neuter services and vaccinations of feral cats in Indianapolis' low-income neighborhoods.

SECTION 2. The funds shall be administered by the Department of Public Safety.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 535, 2007. Councillor Conley reported that the Law Enforcement Consolidation Committee heard Proposal No. 535, 2007 on December 5, 2007. The proposal, sponsored by Councillors Conley, Moriarty Adams and Keller, dissolves certain law enforcement consolidation transition committees in favor of the establishment of the metropolitan law enforcement advisory council provided by existing ordinances. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Nytes, for adoption. Proposal No. 535, 2007 was adopted on the following roll call vote; viz:

25 YEAS: Bateman, Borst, Boyd, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy

0 NAYS:

4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 535, 2007 was retitled GENERAL RESOLUTION NO. 25, 2007, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 25, 2007

PROPOSAL FOR A GENERAL RESOLUTION to dissolve certain law enforcement consolidation transition committees in favor of the establishment of the metropolitan law enforcement advisory council provided by existing ordinances.

WHEREAS, Sections 279-201 through 279-205, inclusive, of the Revised Code established the metropolitan law enforcement consolidation transition authority, transition advisory committee, and steering committee, and further provided the powers and duties of each of them; and

WHEREAS, the transition authority and each of the two committees held regular meetings throughout 2006 in order to discharge their duties with respect to the consolidation of the Indianapolis Police Department and the law enforcement division of the Marion County Sheriff's Department, which consolidation was effective on January 1, 2007; and

WHEREAS, Section 279-206 of the Revised Code provides in pertinent part that "On or after December 1, 2007, the city-county council law enforcement consolidation committee shall review the progress of the transition. At such time, the council shall vote to dissolve the authority and the committees"; and

WHEREAS, Section 279-206 further provides that once the authority and the committees are dissolved, the metropolitan law enforcement advisory council shall be established as provided in Section 279-207 of the Revised Code; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to the direction and authority provided by Section 279-206 of the “Revised Code of the Consolidated City and County,” and upon the city-county council law enforcement consolidation committee having reviewed the progress of the consolidation of the Indianapolis Police Department and the law enforcement division of the Marion County Sheriff’s Department, the city-county council hereby dissolves the following three (3) entities: the metropolitan law enforcement consolidation transition authority established by Section 279-201 of the Revised Code; the metropolitan law enforcement consolidation transition advisory committee established by Section 279-203 of the Revised Code; and, the metropolitan law enforcement steering committee established by Section 279-205 of the Revised Code.

SECTION 2. Upon the dissolution of the entities specified in SECTION 1 of this resolution, the metropolitan law enforcement advisory council shall be established pursuant to Sections 279-206 and 279-207 of the Revised Code.

SECTION 3. This resolution shall be in effect on and after January 1, 2008, following its passage by the Council and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 541, 2007. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 541, 2007 on December 4, 2007. The proposal, sponsored by Councillors Keller, Boyd, Vaughn, Nytes, Gray, Sanders and Conley, amends the Code adding a county recorder supplemental fee for purposes of the housing trust fund. By a 7-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Gibson said that this will help to eradicate homelessness in Indianapolis and will help veterans and he supports the proposal.

Councillor Speedy said that he supports initiatives for affordable housing, but he has reservations about this proposal. He said that there is no guarantee that this will help decrease homelessness and will simply increase the cost of doing business. He said that \$52,000 is not low income and these people are already served by other organizations. The city would be stepping into an area already done well by the private sector and public housing. He said that this simply increases the cost of living and doing business in Marion County. Adding more fees sends the wrong message. While this is a noble initiative, he believes the funding is misguided.

Councillor Lutz said that he supports the initiative, but this provision has been passed in two versions and he is not sure the law exists to do this.

Councillor Schneider said that he also opposes the proposal, as the cost to live and do business in Marion County continues to increase. He said that it is socialistic to spread money over the entire population. He said that when government does this type of service, about 80% goes to administration costs, whereas when the private sector does it, all the money would go to help end homelessness.

Councillor Borst said that he has struggled with this proposal, but feels the good in it outweighs the bad to help the impoverished and homeless and therefore he will support it.

Councillor Nytes said that she supports the proposal, and even though it seems socialistic, it is simply pulling together for the common good. She said that there are not many tools to help public housing and this is one the federal government has given them to use.

Councillor Boyd asked for support from his fellow Councillors and said that he has taken a long hard look at the proposal and the situation and believes it will be beneficial.

Councillor Cain said that she worries about accountaibility and has concerns about where the money actual will go. She said that she has not spoken to any parties actually doing this, and

government should concentrate more on basic public functions. She said that while it is a good intent, this is probably not the right avenue.

Councillor Boyd moved, seconded by Councillor Keller, for adoption. Proposal No. 541, 2007 was adopted on the following roll call vote; viz:

20 YEAS: Bateman, Borst, Boyd, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Plowman, Pryor, Randolph, Sanders
5 NAYS: Cain, Lutz, Pfisterer, Schneider, Speedy
4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 541, 2007 was retitled GENERAL ORDINANCE NO. 85, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 85, 2007

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code as authorized by IC 36-2-7-10, adding a county recorder supplemental fee for purposes of the housing trust fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 131-241 of the "Revised Code of the Consolidated City and County," regarding the county recorder's supplemental recording fee, hereby is amended by the deletion of the language that is stricken-through and by the addition of the language that is underscored, to read as follows:

Sec. 131-242. Recorder's supplemental recording fee fees.

(a) Pursuant to IC 36-2-7-10~~(b)(11)~~ et seq., the city-county council hereby authorizes the recorder to charge a supplemental fee in the amount of three dollars (\$3.00) per document for recording a document.

(b) Pursuant to IC 36-2-7-10(a) and (b)(13), the city-county council hereby authorizes the recorder to charge a supplemental fee in the amount of two dollars and fifty cents (\$2.50) for the first page and one dollar (\$1.00) for each additional page of each document the recorder records. The fee authorized by this subsection shall benefit the City of Indianapolis Housing Trust Fund, and shall be deposited as provided in IC 36-2-7-10(i).

~~(b)~~ ~~This~~ The supplemental fee is fees authorized by this section are to be paid at the time of recording the document, and ~~this supplemental fee is~~ are in addition to other fees provided by law for recording a document.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from February 1, 2008, ~~and~~ after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

PROPOSAL NO. 555, 2007. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 555, 2007 on December 4, 2007. The proposal, sponsored by Councillors Sanders, Mahern, Moriarty Adams, Bateman, Carson, Brown and Pryor, amends Chapter 231 of the Revised Code of the Consolidated City and County, to regulate the voting

procedures of the Metropolitan Development Commission as to approval of tax abatements. By a 5-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst said that the State of Indiana controls the Metropolitan Development Commission, and the Council does not have the legal authority to do this. He said that he has consulted with counsel to the Minority Caucus, Robert Elrod, and he also believes it to be illegal. He said that he will vote against the measure.

Councillor Sanders said that while she appreciates Councillor Borst's concerns, this was the way established for the Council to have a voice, and it does not take anything away from the Mayor or his authority.

Councillor Boyd moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 555, 2007 failed on the following roll call vote; viz:

10 YEAS: Bateman, Boyd, Conley, Gray, Mahern, Mansfield, Moriarty Adams, Oliver, Pryor, Sanders

15 NAYS: Borst, Cain, Cockrum, Day, Gibson, Keller, Langsford, Lutz, McWhirter, Nytes, Pfisterer, Plowman, Randolph, Schneider, Speedy

4 ABSENT: Brown, Carson, Franklin, Vaughn

PROPOSAL NO. 557, 2007. Councillor Conley reported that the Public Works Committee heard Proposal No. 557, 2007 on December 13, 2007. The proposal, sponsored by Councillor Moriarty Adams, authorizes intersection controls at Audubon Road and 13th Street (District 17). By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 557, 2007 was adopted on the following roll call vote; viz:

25 YEAS: Bateman, Borst, Boyd, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Lutz, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Randolph, Sanders, Schneider, Speedy

0 NAYS:

4 ABSENT: Brown, Carson, Franklin, Vaughn

Proposal No. 557, 2007 was retitled GENERAL ORDINANCE NO. 86, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 86, 2007

A PROPOSAL FOR A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
26	Audubon Rd 13th St	13th St	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

NEW BUSINESS

President Gray asked that all Councillors keep Councillor Carson in their prayers due to the passing of his grandmother and wished everyone a safe holiday and prosperous new year.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) All Councillors in memory of Congresswoman Julia Carson; and
- (2) Councillor Cockrum in memory of Luther R. Condre; and
- (3) Councillor Cain in memory of Holly Rose Cory; and
- (4) Councillor Langsford in memory of Emma Jean Cauley; and
- (5) Councillor Moriarty Adams in memory of Patti Lathrop; and
- (6) Councillor Gray in memory of Richard Blackwell and Carol James; and
- (7) Councillor Sanders in memory of Margaret Hartrich.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Congresswoman Julia Carson, Luther R. Condre, Holly Rose Cory, Emma Jean Cauley, Patti Lathrop, Richard Blackwell, Carol James, and Margaret Hartrich. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 11:58 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 17th day of December, 2007.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)

